

*Access to  
Justice  
Program*

Seventh Quarterly Report  
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### Disclaimer

The author's views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government.

### **List of Acronyms**

ACCE – Association of Equity Conciliators (*Asociación Colombiana de Conciliadores en Equidad*)

ADAM - Municipal–Level Alternative Development Program (*Programa Áreas de Desarrollo Alternativo Municipal*)

ADR – Alternative Dispute Resolution (MASC – *Medios alternativos de solución of conflictos*)

AECID – Spanish Agency for International Development Cooperation (*Agencia Española de Cooperación Internacional para el Desarrollo*)

AJP (“the Program”) – Access to Justice Program

AS – Agency for Social Action and International Cooperation (*La Agencia para la Acción Social y la Cooperación Internacional*)

ASOLIPNAR – Association of Women Leaders of the Nariño Pacific (*Asociación de Lideresas del Pacífico Nariñense*)

CAV – Victims Attention Center (*Centro de Atención a Víctimas*)

CCAI – Coordinated Integral Action

CEJ – Corporation for Excellence in Justice (*Corporación Excelencia en la Justicia*)

CENDOJ – Judicial Documentation Center (*Centro de Documentación Judicial*)

CEJOSPA – Accusatory System Citizen Observatory (*Observatorio Ciudadano del Sistema Penal Acusatorio*)

CISPA – Inter-institutional Commission for the Criminal Accusatory System (*Comission Interinstitucional de Seguimiento al Sistema Penal Acusatorio*)

CONPES – National Council for Economic and Social Policies (*Consejo Nacional de Política Económica y Social*)

COP – Chief of Party

COTR – Contracting Officer’s Technical Representative

CPC – Criminal Procedure Code (*Código de Procedimiento Penal*)

CSDI – Colombia Strategic Development Initiative

CSJ – Superior Council of the Judiciary (*Consejo Superior de la Judicatura*)

CSO – Civil Society Organization (NGO: Non-Governmental Organization – *ONG: Organización No gubernamental*)

DAS – Administrative Department of Security (*Departamento Administrativo de Seguridad*)

DCOP – Deputy Chief of Party

DEAJ – Executive Directorate of Judicial Administration (*Dirección Ejecutiva de Administración Judicial*)

DHEMOS - Insitute of Studies for the Promotion of Democracy, Human Rights and Social Development (*Insituto de Estudios para la Promoción de la Democracia, los Derechos Humanos y el Desarrollo Social*)

DHR – USAID Colombia’s Office of Democracy and Human Rights

DMASC – Alternative Dispute Resolution Directorate of the Ministry of Justice and Law (*Dirección de Mecanismos Alternativos de Solución de Conflictos*)

DNDP – National Directorate of Public Defense (*Dirección Nacional de Defensoría Pública*)

DNP – National Planning Department (*Departamento Nacional de Planeación*)

DOJ – U.S. Department of Justice

EJRLB – Rodrigo Lara Bonilla Judicial School (*Escuela Judicial Rodrigo Lara Bonilla*)

EOTM – Municipal Land Use Scheme

ESAP – Public Administration Training School (*Escuela Superior de Administración Pública*)

FGN – Colombian Attorney General’s Office (*Fiscalía General de la Nación*)

FIU – Florida International University

GOC – Government of Colombia

IACHR – Inter-American Court of Human Rights

IDPs – Internally Displaced Persons

IEMP – Office of the Inspector General’s Studies Institute (*Instituto de Estudios del Ministerio Público - Procuraduría General de la Nación*)

ILAPSI – Latin American Psychology Institute (*Instituto Latinoamericano de Psicología*)

JAC – Community Action Board (*Juntas de Accion Comunal*)

JUSCOM - Corporation for the Strengthening of Justice and Comprehensive Community Development (*Corporacion para el Fortalecimiento de la Justicia y el Desarrollo Integral Comunitario*)

LGBT – Lesbian, Gay, Bisexual and Transgender

MICE – Framework for Implementing Equity Conciliation (*Marco para la Implementación de la Conciliación en Equidad en Colombia*)

MJD – Ministry of Justice and Law (*Ministerio of Justicia y del Derecho*)

M&E – Monitoring and Evaluation

MoA – Ministry of Agriculture and Rural Development (*Ministerio de Agricultura and Desarrollo Rural*)

MSD – Management Sciences for Development

NJHP - National Justice House Program (*Programa Nacional of Casas of Justicia*)

OCENSA – Central Pipeline S.A. (Oleoducto Central S.A.)  
OEA – Public Defense Special Support Office (*Oficina Especial de Apoyo*)  
OIG – Office of the Inspector General (*Procuraduría General de la Nación*)  
PACE – Equity Conciliation Services Office (*Punto de Atención de Conciliación en Equidad*)  
PADF – Pan American Development Foundation  
PARTNERS – Partners for Democratic Change  
PAS – United States Embassy’s Public Affairs Section  
PET – Technological Strategic Plan  
PMP – Performance Monitoring Plan  
RCCs – Regional Coordination Centers  
SF – Santamaria Foundation  
SNDP – National Public Defense System (*Sistema Nacional de Defensoría Pública*)  
SPA – Criminal Accusatory System (*Sistema Penal Acusatorio*)  
SPD – Roberto Camacho Waverberg School for Public Defenders  
TOR – Terms of Reference  
UAECT- Special Administrative Unit for Territorial Consolidation (*Unidad Administrativa Especial para la Consolidación Territorial*)  
UDAE – Statistical Analysis Unit (*Unidad de Desarrollo y Análisis Estadístico*)  
URFI – Physical Resources Unit – CSJ (*Unidad de Recursos Físicos e Inmuebles del Consejo Superior de la Judicatura*)  
VAC – Victims Assistance Center  
WMP – Work Management Plan

## **List of Annexes**

Annex 1 – Financial Report

Annex 2 – Expected Results Report

Annex 3 – Success Story

## **List of Attachments**

1.1. Evaluation of the need to adapt the curricula of medical, psychology and dental schools, as well as schools or institutes dedicated to the teaching of criminal investigation and forensic sciences, to the requirements of the criminal accusatory system

1.4. Academic papers of the participants in the last study tour to Puerto Rico

1.5. Protocol for the “Measurement of the Impact of the Training Provided to Public Defenders in CSDI Zones”

2.6. Document titled “International References for Technological Justice Reforms”

2.8.1. Final version of the Technological Strategic Plan

2.8.2. Workshop report on the experiences of the Judicial Branches of Chile and the United States with technology matters

3.1. Final version of the assessment and impact evaluation of the Colombian Justice House Program

3.4.1. Final report on the project to train school mediators in San Onofre

4.1. Diagnosis of community-based alternative dispute resolution

5.1.4. Presentation - Exposition on the transfer of technology applied to criminal investigations

5.4.1. Diagnosis of the current performance control model applied to public defenders

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9.1. USAID Investment

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### Executive Summary

USAID issued the Access to Justice Program (AJP) Task Order to MSD on July 8, 2010. The Task Order establishes a two-year program that builds upon USAID's long-standing commitment to the strengthening of the Colombian formal and informal justice sectors. The main objective of the AJP is to strengthen justice services in Colombia to ensure access to legal services, improve access to justice, and reduce impunity through five core components:

1. Justice Reform
2. Court Administration and Management
3. Justice Houses
4. Alternative Dispute Resolution
5. Public Defense

The AJP includes a critical new emphasis in USAID's support to Colombia's justice sector: extending justice sector services to rural, marginalized regions of Colombia heavily affected by violence, known as "consolidation zones" (under the Government of Colombia's (GOC) National Consolidation Plan) or "CSDI zones" (based on the acronym of the U.S. Government's Colombia Strategic Development Initiative). These regions have been identified for integrated, geographically targeted activities designed to consolidate peace, security and development gains.

The AJP continues to work collaboratively with GOC counterparts and strategic allies to complete work management plan (WMP) activities and achieve performance management plan (PMP) results. This quarterly report tracks progress against those activities and reports any adjustments. Some of the AJP highlights for this quarter include:

### Regional activities

- At the request of the Special Administrative Unit for Territorial Consolidation, the AJP: a) provided technical assistance to the Regional Consolidation Offices in the construction of their action plans, with a focus on improving the conditions for access to justice for citizens in the 51 consolidation municipalities; b) actively participated in the formulation of the Development Plans of the 21 municipalities of the Program's action unit; c) supported the final phase and presentation of the proposed model of coordination among justice operators in the consolidation municipalities, developed by *Corporación Razón Pública*, (with funds from the AECID).
- Through university recipients of comprehensive legal services grants, the Access to Justice Program expanded the coverage of free legal services offered by law school legal clinics in Montes de María, Nariño and Bajo Cauca Antioqueño.
- Through a grant awarded to *Corporación Sisma Mujer*, the AJP began its activities during the first quarter of the year with a campaign to influence the development plans in

the city of Bogotá and two municipalities in the regions in which the AJP operates: Caucasia (Bajo Cauca Antioqueño) and El Carmen de Bolívar (Montes de María).

- During this quarter, the AJP began a process to train community leaders through a diploma course on “Community Mediation and a Culture of Legality.”
- Through a grant awarded to the Ethnic Territories Observatory of *Universidad Javeriana*, the AJP began implementation of the “Project to strengthen the authorities, the law and justice for territorial management by the Community Councils of Santo Madero and Eladio Ariza, in the municipality of San Jacinto in the Department of Bolívar”.
- The AJP provided logistical support for the training of University of Pasto law students under an agreement with the National Ombudsman’s Regional Office in Nariño, for the purpose of strengthening judicial public defense services in the Criminal Accusatory System.

### **Component 1 Judicial Reform**

- *Universidad Libre de Cali* developed software for the Virtual Legal Clinic System.
- University of Medellín developed the Virtual Legal Clinic strategy, which involved the planning and the creation of the timetable for the development of this component.
- *Corporación Universitaria del Meta* provided services from the Virtual Legal Clinic installed in the municipality of Vista Hermosa.
- *Fundación Universitaria Tecnológico Comfenalco* of Cartagena, the university legal clinics based in the city of Pasto (Nariño, Cooperativa, CESMAG and Mariana) and *Universidad* of Medellín, carried out mobile legal clinics in the municipalities of Ovejas, San Onofre (Sucre), Policarpa, Tumaco (Nariño) and in six Justice Houses in Bajo Cauca.
- *Corporación Universitaria del Meta* has broadcast a weekly one-hour Virtual Legal Clinic radio program on the “*Ondas don Bosco*” station, and a CD of these broadcasts was designed review and approval.
- The first phase of the Regional University Competition in Oral Trial Techniques (Southwest Region) was carried out with meetings of focus groups and the training of university students in Pasto, Popayán and Cali who wished to participate in the competition.
- *Universidad San Buenaventura de Cali* completed the final version of the software for the pilot test of the information system for the administration and management of Virtual Legal Clinics.
- *Universidad Simón Bolívar de Barranquilla* presented the design (demo) for the REVADESPA web portal (Criminal Accusatory System Virtual Learning Network).
- The company AUTORUN delivered the virtual pedagogical and didactic material related to four virtual training course modules for future operators and users of the Decentralized Justice Centers in Ciudad Bolívar (Bogotá, D.C).
- The participants in the last study tour to Puerto Rico delivered their academic papers, which dealt with the most critical issues related to the implementation of the Criminal Accusatory System (SPA) in Colombia, from the perspective of Puerto Rican practice.
- *Universidad Javeriana* organized and conducted an international seminar on “Contemporary Problems in the Criminal Accusatory System in Colombia,” with the participation of international speakers.



- A group of consultants led by Dr. Cesar Solanilla Chavarro was hired to perform a technical-legal study of the content and scope of concentrated preliminary hearings and judicial practice under the SPA.
- DeJusticia delivered the final version of its study of the impact on judicial congestion of the prosecution of the crime of failure to pay child support.
- The AJP actively participated in the formulation of draft Development Plans for 21 municipalities of the Program's action unit.
- *Fundación JUSCOM* presented a draft of a manual titled "JUSTICE: Comprehensive Approach of Justice Operators for Groups Entitled to Special Attention."
- A grant was awarded to *Fundación SISMA MUJER* for the purpose of documenting and presenting a case of femicide that will have an impact on the administration of justice and to promote the effective application of Law 1257 of 2008.
- A grant was awarded to *Fundación COLOMBIA DIVERSA* for the purpose of studying the problem of hate killings in Colombia and police abuse against members of the Lesbian, Gay, Bisexual and Transgender (LGBT) community.

## **Component 2 Court Management and Administration**

- During the quarter, the AJP installed satellite communications equipment and provided training to the staff in the courtrooms in the municipalities of San Jacinto, Carmen de Bolívar, Caucasia and Tumaco.
- During the quarter, the DEAJ performed a diagnostic study of the software used in Cali and determined that it was not appropriate for the level of complexity of the Paloquemao courts. Therefore, the project for the integration of these modules has been suspended until new guidelines have been defined.
- *Universidad Industrial de Santander* began the implementation stage for the quality management system in preparation for the receipt of ISO 9001 certification.
- Furthermore, *Universidad Libre de Cali* completed the documentation stage for the quality management system and began the stage for its implementation in the courts of Buga, which should be completed by June 15, 2012.
- AJP conducted comprehensive studies and review of the literature in court management. The document describes experiences with management and technological innovations in the courts and judicial bodies of Spain, Costa Rica, Chile, Rio Grande Do Sul and Brasilia. This document will be published and is currently being reviewed by a technical writer.
- The consultant Oscar Florez delivered the products specified in his consulting contract. The main product is the final version of the Technological Strategic Plan, based on the specification of investment costs associated with each product.
- This document will be used in the next planning session, which will receive technical assistance from engineers from the Judicial Branch of Chile.
- During the month of March, the AJP and *Universidad Javeriana* Law School conducted an international seminar on the Criminal Accusatory System (see Component 1). During the seminar, Peter McCabe of the Administrative Office of the United States Courts and Sergio Muñoz, President of the Constitutional Chamber of the Judicial Branch of Chile, presented an analysis of the management and technology aspects of the accusatory systems of their respective countries.

- Peter McCabe met with the Secretary for Transparency of the Presidency of the Republic, Carlos Fernando Galán, in order to request USAID's technical collaboration in the design and implementation of transparency policies for the Judicial Branch.
- The AJP, through its Director, advised the Administrative Chamber of the Superior Council of the Judiciary on the search and selection process for the new Director of Information and Communication Technology of the Judicial Branch, a task that was successfully completed in March 2012 with the selection and hiring of a high-level professional.

### **Component 3 Justice Houses**

- The final evaluation report on the impact of the National Justice House Program was delivered on March 7, 2012.
- During the quarter, AJP programmed and carried out work plan activities with the Alternative Dispute Resolution Directorate of the Ministry of Justice and Law to support the creation of Justice Houses, which includes work for remodeling, rebuilding and equipping (Riohacha, Barrancas, Uribia, Villavicencio, San Onofre and Bajo Cauca, Santander de Quilichao, Turbo, Apartadó and Riosucio).
- Cerrejon Foundation for the Institutional Strengthening of La Guajira completed the collection of information proposed in the grant for enhancing access to justice and promoting legality in the ethnically diverse areas of influence of the Justice Houses of Riohacha and Barrancas.
- In the final quarter of 2012, *Corporación Internacional Derecho y Sociedad* delivered the products and implemented the final phase of the grant to establish the action routes and protocols for attention to and the prevention of domestic violence, to be followed by Justice House officials in Ciudad Porfía and, in general, all family commissioners and family ombudsmen in the city.
- *Fundación Oleoductos de Colombia* completed the training of government co-managers who work in the region and delivered tools for developing an attention route for access to justice services.
- *Fundación Ser Caucanos* began the project to train Justice House officials in preventing, treating and attending to the consumption of psychoactive substances by young people in Santander de Quilichao. We expect that the project will help to mitigate this problem and reduce the levels of conflict.
- In Turbo and Apartadó, *Corporación Internacional Derecho y Sociedad* continued to implement the grant to develop a project designed to prevent and attend to cases of domestic violence, meeting the priority requirements that the administrations of these municipalities had established with the Ministry of Justice and the Access to Justice Program.
- In the municipality of Uribia, the Akwaipa Association began implementation of the project to design and implement a strategy to ensure comprehensive attention to users of justice services by promoting the use of indigenous institutions.
- During these past months, and in coordination with the Alternative Dispute Resolution Directorate, the Program proceeded with the process for the selection of the people who will participate in the training for equity conciliators in order to strengthen Justice House services.
- The AJP carried out the induction and training for Uribia Justice House officials.
- The AJP developed an alternative model for access to justice in CSDI zones.

- During this quarter, the AJP began four *diplomados* or specialized courses on “Mediation and a Culture of Legality” in the following municipalities: Tumaco - 48 participants; Granada - 35 participants; Sincelejo - 40 participants (members of Afro-Colombian organizations from Montes de Maria: Afro Ovejas, Grito Montemariano, Asoafro, Sones de Torobé, Raices, Fundegest, Colombia Negra, Concejo Comunitario Paraiso, and Concejo Comunitario San Cristóbal); Cauca: 40 participants (members of Afro-Colombian organizations from Bajo Cauca).
- The courses included five modules on the following topics: Women; Children and Youth; Neighborhood and Community; Ethnic Groups; and Mediation.

#### **Component 4 Alternative Dispute Resolution (ADR)**

- On March 23, 2012, the final version of the Diagnostic Report on Community-Based ADR Mechanisms was delivered.
- On March 15, 2012, the National Roundtable for ADR Reform was installed, with the participation of 36 representatives from the most important sectors of community-based ADR mechanisms.
- Effective networks of ADR providers. This activity concluded with the awarding of a grant to *Universidad Católica de Oriente* to support the Second Meeting of Equity Conciliators of Antioquia.
- Cadre of ADR operators in 20 CSDI municipalities. The process of implementing and strengthening Equity Conciliation was consolidated in 14 CSDI municipalities, in full coordination with the Ministry of Justice and Law (MJD) through the Framework for Implementing Equity Conciliation (MICE) Technical Committee.

#### **Component 5 Public Defense**

The National Directorate of Public Defense (DNPD) is taking action to expand the coverage and quality of public defense services in CSDI zones. Several recommendations were adopted, based on the diagnosis performed by the AJP.

- In adopting another recommendation of the diagnosis, the DNPD implemented a training plan for law students enrolled in legal clinics, to be carried out through legal brigades supported by the AJP. Through these brigades, 220 students were trained in skills for the design of defense and technical strategies in the criminal accusatory process.
- The AJP presented to the DNPD the results and products obtained in phases I and II of the project executed by JUSCOM to strengthen the criminal justice assistance program for members of indigenous communities provided by the National Public Defense System, and the “Intercultural Meeting between Jurisdictions.”
- The AJP distributed 1,000 copies of the “Manual for the Legal Defense and Representation of Indigenous Communities and Their Members,” which describes oral litigation techniques in the Colombian Accusatory System.

- With the support of JUSCOM, the AJP designed and distributed 1,000 CDs containing the “Report on Public Defense Projects for Indigenous People and the National Meeting on Interculturalism and Legal Pluralism.” This legal educational material was delivered to judicial operators, indigenous organizations, civil society organizations and entities committed to the issue.
- AJP formalized the signing of donation agreements with the National Ombudsman’s Office for the installation and training of officials in the use of the computer and video conferencing equipment that will serve the National Ombudsman’s Regional Offices in the Departments of Arauca, Barrancabermeja and Valledupar. This will complete the agreement made with the DNDP for the supply and installation of equipment in the eight Regional Offices of the National Ombudsman’s Office.
- Through a consultant, the AJP supported the design and development of processes and procedures manual that can be used for the implementation of a true “management” model for the Special Support Offices and that standardize the means of providing the different services offered by these offices.
- AJP hired an expert on extraordinary criminal appeals for the design and development of a practical booklet based on the case methodology, which contains the basic rules, grounds and techniques for properly supporting appeals brought by public defenders at a national level.
- AJP completed the construction work and structured cabling for the Special Support Office in Bucaramanga, and began the process of installing, and training the officials in the use of office, computer and video conferencing equipment.
- With USAID support, the National Ombudsman’s Office has created a total of nine Special Support Offices to date, in the cities of Bogotá, Medellín, Cali, Manizales, Neiva, Ibagué, Villavicencio, Barranquilla, and now Bucaramanga.
- The AJP and the Public Defense Office (DP) adopted the technical recommendations presented in the report “Evaluation of the Functioning, Results Obtained and Requirements of the UOIC and the Five Defense Technical Testing Laboratories Attached to the SNDP.” and worked on the design and publication of 500 copies of the final report, which will be delivered to operators, technical investigators and experts attached to the Criminal Investigation Operating Unit (UOIC).
- In March, the AJP presented an exposition on the transfer of technology applied to criminal investigations, attended by the National Ombudsman, 36 regional public defenders, UOIC investigators and experts, criminology experts from the judicial police, and USAID representatives. In this event, the AJP presented the services provided by each forensic team, with an emphasis on their importance and utility for public defense criminal investigations.
- The AJP began to deliver, install and provide training for the use of criminology equipment, specialized software, and computer, communications and video equipment for the criminal investigation laboratories in the following 18 regional public defense offices, under an agreement with the DP: Quindío, Risaralda, Caldas, Cauca, Magdalena Medio, Valle del Cauca, Vichada, Urabá, Casanare, Nariño, Huila, Meta, Boyacá, Putumayo, Santander, Amazonas, Vichada and Cundinamarca.

## Seventh Quarterly Report

### 1. AJP CSDI Regional Office Activities

The principal achievements from a regional perspective are described below:

- At the request of the Special Administrative Unit for Territorial Consolidation, the AJP provided technical assistance to the Regional Consolidation Offices in the construction of their action plans, with a focus on improving the conditions for access to justice for citizens in the 51 consolidation municipalities, including those not targeted by the action unit of the USAID Access to Justice Program. The AJP also provided technical support for the formulation and prioritization of topics to be included in the National Council for Economic and Social Policies (CONPES) Consolidation Document.
- In coordination with the Special Administrative Unit for Territorial Consolidation, the AJP actively participated in the formulation of the Development Plans of the 21 municipalities of the Program's action unit. The AJP provided technical support for the construction of justice component programs and projects for these Plans. The AJP delivered to the 21 local government consulting teams a document describing the structure of the justice component based on the diagnosis of barriers to access to justice and the operating restrictions encountered by the regional teams.

Subsequently, the AJP carried out a process to verify the inclusion of the issue of justice in the discussion groups of the Territorial Planning Councils (CTP) and Social Policy Councils (CONPOS), and it provided technical support for the development of each municipality's programs and projects.

In addition, in January the AJP's regional teams provided technical support in the public policy advocacy process, assisting in the transition of, and rendering of accounts by, the offices of the mayors, solicitors, commissioners and police inspectorates of the consolidation municipalities.

- Through university recipients of comprehensive legal services grants, the Access to Justice Program expanded the coverage of free legal services offered by law school legal clinics in Montes de María, Nariño and Bajo Cauca Antioqueño.
  - ✓ The University of Medellín used a grant for the provision of comprehensive legal services in Bajo Cauca to conduct an additional legal services campaign in the six Justice Houses in Bajo Cauca Antioqueño.
  - ✓ The AJP supported and funded two mobile legal services campaigns in Tumaco conducted by three university legal clinics in the city of Pasto, in which training was provided to communities on the culture of legality. These services were provided in the Tumaco Justice House, District 4 (RM Bichof Educational Institution and the University of the Pacific), the El Bajito neighborhood and the Community Council of Rescate Las Varas in the town of San Luis Robles, in the municipality's rural area.

- ✓ The AJP supported and funded two mobile legal services campaigns in the municipality of Policarpa with the University of Nariño Legal Clinic, based in the city of Pasto.
- ✓ *Fundación Universitaria Tecnológico Comfenalco* used a grant for the provision of comprehensive legal services in Montes de María to conduct mobile legal services campaigns in the municipalities of Ovejas and San Onofre (in Sucre). The campaigns took place in the urban areas and in several towns selected because of the high level of conflict in the municipalities.



*Mobile legal service campaign in the municipality of Policarpa*

- Through a grant awarded to *Corporación Sisma Mujer* within the project for the “Contribution to the Application of Law 1257 in a Case of Femicide and Three Development Plans,” and with the general objective of contributing to the eradication of violence against women, the AJP began its activities during the first quarter of the year with a campaign to influence the development plans in the city of Bogotá and two municipalities in the regions in which the AJP operates: Cauca (Bajo Cauca Antioqueño) and El Carmen de Bolívar (Montes de María). The planning campaign was carried out with two leaders from each municipality, who were selected by the AJP’s regional teams and members of women’s movements. The activities for the documentation of the case of femicide (involving a woman leader who was raped, tortured and murdered in Valle del Cauca) began with the visit of a lawyer and psychologist from *Corporación Sisma Mujer* to Valle del Cauca in order to analyze the context of the case and to provide psychosocial assistance to the victim’s relatives.
- During this quarter, the AJP began a process to train community leaders through a diploma course on “Community Mediation and a Culture of Legality.”
- Through a grant awarded to the Ethnic Territories Observatory of *Universidad Javeriana*, the AJP began implementation of the “Project to strengthen the authorities, the law and justice for territorial management by the Community Councils of Santo Madero and Eladio Ariza, in the municipality of San Jacinto in the Department of Bolívar.” The main purpose of this project is to support the development of guidelines for the management of Afro-Colombian territories in the Colombian Caribbean, by developing and approving two exemplary guidance documents, providing information about them to other community councils in the area, and educating justice officials and operators in the municipalities directly related to the exemplary cases about the justice work being performed in the communities. The following activities were performed during this quarter:



- ✓ Presentation of the schedule of activities and the work plan.
- ✓ Meeting with justice operators in San Jacinto to inform them of the project.
- ✓ Drafting of a document that reflects the territorial situation of the Afro-Colombian communities of Montes de María.
- ✓ Drafting of a document that describes the concerted lines of action to be taken by the Community Councils of Eladio Ariza and Santo Madero in the municipality of San Jacinto with the Ethnic Territories Observatory of *Universidad Javeriana* for the execution of the project.
- Together with the Special Administrative Unit for Territorial Consolidation, the AJP supported the final phase and presentation of the proposed model of coordination among justice operators in the consolidation municipalities, developed by *Corporación Razón Pública*, a consulting entity hired by the Directorate of Formal and Jurisdictional Justice of the Ministry of Justice and Law (with funds from the AECID).



*“Voces del Pacífico: desde el manglar rompiendo barreras”*

- In the municipality of Tumaco, the AJP’s regional team continues to support the Association of Women Leaders of the Nariño Pacific (ASOLIPNAR) in formulating topics to be discussed in the weekly broadcasts of the radio program “*Voces del Pacífico: desde el manglar rompiendo barreras*” (“Voices of the Pacific: from the Mangrove Breaking Barriers”), whose objective is to identify the problems of daily life for women in the municipality and to create a network of women mediators.

• The AJP’s regional office in Montes de María successfully completed a project to train 47 school mediators in the towns of Libertad, Rincón del Mar and Berrugas in the municipality of San Onofre. The AJP directly executed this project, whose purpose is to train Justice House referral agents, strengthen community dispute resolution initiatives and bring justice services to underserved communities in remote areas.



*School mediators*

- The AJP provided logistical support for the training of University of Pasto law students under an agreement with the National Ombudsman’s Regional Office in Nariño, for the purpose of strengthening judicial public defense services in the Criminal Accusatory System.

## ***AJP CSDI Regional Office Activities - Difficulties, Challenges and Lessons Learned***

### **Challenges**

- During the next period (the 8<sup>th</sup> quarter), the AJP will provide technical support to Municipal Councils in consolidation areas targeted by the Program, for the approval of development and investment plans, in order to ensure the funding of programs and projects prioritized by area to improve access to justice by citizens, based on the diagnosis of barriers to access to justice.
- The Access to Justice Program will work to generate the sustainability of the processes initiated in the regions, in order to strengthen the social and institutional justice support networks.

### **2. Coordination with DOJ/OPDAT and Other Donors**

The AJP, in coordination with DOJ, will implement 3 victim's assistance centers (for the justice and the peace justice) in Monteria, Medellin and Barranquilla. Five places were carefully evaluated by DOJ and AJP in order to implement CAV's that benefits CSDI zones. These implementations include refurbishing the area, furniture and equipment.

### **3. Subcontract with Partners for Democratic Change**

The final evaluation report on the impact of the National Justice House Program, which was undertaken by Partners for Democratic Change and finalized under the direction of consultant Linn Hammergren was delivered on March 7, 2012. The report provides sufficient and adequate information with which to identify challenges, opportunities, lines of action, and difficulties. It makes recommendations for the strengthening, sustainability and possible expansion of the National Justice House Program ([See Attachment 3.1.](#)).

### **4. Grants**

The Access to Justice Program has awarded 41 grants to civil society organizations, think tanks and universities. Twelve of the grants, representing 27% of all scheduled grants, have been completed. During this period, a grant was awarded to *Colombia Diversa* for the purpose of strengthening and giving continuity to the comprehensive policy advocacy strategy that it promoted during 2010-2011 for the defense, dissemination and development of the human rights of LGBT people and same-sex couples. The AJP also awarded a grant to *Sisma Mujer* for the purpose of contributing to the eradication of violence against women in the country.

The following table summarizes the grant activity:



COMPONENT	GRANTS AWARDED	GRANTS TO BE DEVELOPED	GRANTS PENDING SIGNATURE	GRANTS COMPLETED	Total
Justice Sector Reform	26	0	1	3	27
Court Administration and Management	2	0	0	2	2
Justice Houses	9	0	1	4	10
Public Defense	4	0	1	3	5
<b>Total</b>	<b>41</b>	<b>0</b>	<b>3</b>	<b>12*</b>	<b>44</b>

\*Included in grants awarded

## 5. Other Activities

During the weeks between February 19 and March 16, AJP attended to the audit by the Office of Inspector General of USAID. Several work sessions were held with the auditors to review the scope of activities of each Program component, the level of compliance with the indicators, and the corresponding technical, financial and administrative supports. The Work Management Plan and Performance Monitoring Plan served as guides for the review.

Pursuant to the agreed audit agenda and methodology, AJP accompanied the auditors to scheduled meetings with national counterpart entities; municipal authorities; and civil society organizations, think tanks and universities that have received grants, in order to obtain their opinions about the level of commitment, support and assistance provided by the Program and the impact of its actions at a national, regional and local level.

## 6. Component Activities

The AJP Task Order sets forth a detailed results framework along with delineated program activities and sub-activities. To facilitate the reporting of accomplishments of expected results, this quarterly report (like the Work Management Plan) addresses the activities/sub-activities established by the Task Order, organized by the Program's five components:

- Justice Sector Reform (Component 1)
- Court Administration and Management (Component 2)
- Justice Houses (Component 3)
- Alternative Dispute Resolution (Component 4)
- Public Defense (Component 5)

## COMPONENT ONE: JUSTICE SECTOR REFORM

## **1.1. Strengthen the capacity of law schools to train students in the new accusatory legal system and criminal procedure code**

### ***Curriculum reform related to the criminal accusatory system***

The activities under the grant agreement with *Corporación DeJusticia* were completed. Drafts of the following products were provided in a law school clinic campaign in Medellín: (i) results of the curriculum modifications made by eight law schools in relation to the implementation of the Criminal Accusatory System (SPA); (ii) the methodology for the evaluation of the curriculum reforms made by the law schools in response to Law 906 of 2004; (iii) a practical guide for formalizing curriculum modifications with the Ministry of National Education in relation to the implementation of the SPA; (iv) evaluation of the curriculum modifications made by eight law schools in relation to the implementation of the SPA; (v) general recommendations regarding the curriculum changes made in relation to the implementation of Law 906 of 2004; (vi) lessons learned from Chile, Peru and Colombia.

### ***Legal assistance in CSDI zones***

*Universidad Libre de Cali* developed software for the Virtual Legal Clinic System, which will be used at nine hardware sites in the Department of Nariño (mayors' and solicitors' offices, Justice Houses and universities in CSDI zones). The equipment was purchased and technical visits were made for its installation.

Under a grant awarded for the provision of comprehensive legal services in Bajo Cauca, the University of Medellín developed the Virtual Legal Clinic strategy, which involved the planning and the creation of the timetable for the development of this component. *Corporación Universitaria del Meta* provided services from the Virtual Legal Clinic installed in the municipality of Vista Hermosa.

Under a grant awarded for the provision of comprehensive legal services for Montes de María, Nariño and Bajo Cauca, *Fundación Universitaria Tecnológico Comfenalco* of Cartagena, the university legal clinics based in the city of Pasto (Nariño, Cooperativa, CESMAG and Mariana) and Universidad of Medellín, carried out mobile legal clinics in the municipalities of Ovejas, San Onofre (Sucre), Policarpa, Tumaco (Nariño) and in six Justice Houses in Bajo Cauca. During these campaigns, training was offered to the communities on the culture of legality.

*Corporación Universitaria del Meta* has broadcast a weekly one-hour Virtual Legal Clinic radio program on the “*Ondas don Bosco*” station, and a CD of these broadcasts was designed review and approval. *Universidad Libre de Cali* developed the cover script and original theme music for the CD of its radio programs.

Training was provided to university students in Pasto under an agreement with the National Ombudsman's Regional Office in Nariño, with the aim of strengthening public defense litigation services in the Criminal Accusatory System.

### ***University competition in oral trial techniques***

The first phase of the Regional University Competition in Oral Trial Techniques (Southwest Region) was carried out with meetings of focus groups and the training of university students in Pasto, Popayán and Cali who wished to participate in the competition. The AJP presented its university strategy for the implementation of the SPA and supported the training sessions.

### ***Management control software for legal clinics***

*Universidad San Buenaventura de Cali* completed the final version of the software for the pilot test of the information system for the administration and management of Virtual Legal Clinics, after reviewing the software, identifying the need for modifications, and validating the modifications with ICESI, Javeriana and *Cooperativa de Colombia* universities. It also trained the teams who will participate in the pilot test.

### ***Virtual Learning Network***

*Universidad Simón Bolívar de Barranquilla* presented the design (demo) for the REVADESPA web portal (Criminal Accusatory System Virtual Learning Network), which incorporates shared web experiences, a conceptual pedagogical model of academic services and information, a graphic design of the platform, and hardware support, all within the framework of a strategy for the sustainability of the web services that will be provided to the Colombian legal community.

### ***Evaluation of medical, psychology and dental school curricula (in relation to the skills demanded by the criminal accusatory system)***

The consultant Luis Carlos Hoyos delivered his final consulting report, which contained the findings, requirements, recommendations and methodology related to the updating of medical, psychology and dental school curricula in accordance with the academic and practical requirements of the new SPA ([See Attachment 1.1.](#)).



*Focus groups (Bogotá, Medellín, Cali, Bucaramanga)*

## **1.2 Train private attorneys in the criminal accusatory system**

Contracts were signed with universities in Villavicencio and Pasto for the provision of two courses on the SPA for trial lawyers, changing the previous scheme in order to provide an academic setting for the courses and the corresponding university certification of the lawyers' attendance.

## **1.3 Design, implement and evaluate training for justice system actors (judges, prosecutors, defense attorneys and investigators)**

The company AUTORUN delivered the virtual pedagogical and didactic material related to four virtual training course modules for future operators and users of the Decentralized Justice Centers in Ciudad Bolívar (Bogotá, D.C.), within the framework of the Decentralized Judicial Services Model Pilot Project in this neighborhood.

AUTORUN also delivered the virtual pedagogical and didactic material related to the virtual training course modules for administrative judges in charge of land proceedings.

#### **1.4 Support study tours and overseas training**

The participants in the last study tour to Puerto Rico delivered their academic papers, which dealt with the most critical issues related to the implementation of the SPA in Colombia, from the perspective of Puerto Rican practice ([See Attachment 1.4.](#)).

The AJP held meetings with the Embassy to define the criteria for the second overseas study tour, which in principle will be in Chile and will deal more with implementation than with academic instruction.

A contract was signed with *Colegio de Abogados y Defensores Públicos de Bogotá D.C.* for the development of a conference on “Current Challenges and Reflections of the Defense with Respect to Oral Litigation under the SPA.” The contract provides that two authors of the replication documents (public defenders) present their papers for discussion with the participants.

#### **1.5 Develop and implement a monitoring and evaluation plan for the training program**

A protocol titled “Measurement of the Impact of the Training Provided to Public Defenders in CSDI Zones” was developed for the purpose of evaluating the changes in the professional capacities and skills of the public defenders who took the modules that emphasized special skills for the criminal accusatory system ([See Attachment 1.5.](#)).

#### **1.6 Support the creation of Victims’ Assistance Centers (VACs) (under the Justice and Peace Law)**

The AJP, in coordination with DOJ, will implement three victims’ assistance centers (under the Justice and Peace Law) in Monteria, Medellín and Barranquilla. Five locations were carefully evaluated by DOJ and AJP in order to implement VACs that benefit CSDI zones. Implementation will include refurbishing the area and providing furniture and equipment.

The terms of references are being prepared by AJP technical staff, and at least two of the three planned VACs will be implemented during the last quarter of the Program.

#### **1.7 Legal aid and land tenure program assessment**

In January, a consultant delivered the final evaluation report on the process conducted by FIU

within the Land Regularization Program of the Ministry of Agriculture and Rural Development in municipalities in southern Tolima, in association with the USAID-funded Municipal–Level Alternative Development Program (ADAM) and *Universidad Cooperativa de Colombia*.

### **1.8 Provide technical assistance to the Inter-Institutional Commission responsible for monitoring implementation of the criminal procedure system**

Under a grant agreement between the AJP and the *Corporacion Excelencia de Justicia* (CEJ) to support the technical assistance needs of the CISP, monitor the legislative agenda related to the SPA, and evaluate the regional implementation of the criminal reform process, the CEJ completed its advice and assistance to the CISP. It also published and distributed a study titled “Assessment of the First Five Years of Operation of the Criminal Accusatory System in Colombia,” and the 2010 – 2011 bulletin update. A new grant agreement was signed to support the CISP for another two and a half months.



*Universidad Javeriana* organized and conducted an international seminar on “Contemporary Problems in the Criminal Accusatory System in Colombia,” with the participation of international speakers. Approximately 200 people attended this event, at which the results of the CISP’s analysis were disseminated. The foreign experiences relevant to the strengthening of the criminal justice reform process were presented to the academic community and SPA operators.

### **1.9 Support the Observatory to monitor the accusatory criminal justice system which is being developed by the Office of the Inspector General (OIG)**

A group of consultants led by Dr. Cesar Solanilla Chavarro was hired to perform a technical-legal study of the content and scope of concentrated preliminary hearings and judicial practice under the SPA, in support of the Criminal Accusatory System Observatory of the Office of the Inspector General. The Directorate of this Observatory formulated preliminary recommendations for the consultancy.

### **1.10 Review policy adjustments**

DeJusticia delivered the final version of its study of the impact on judicial congestion of the prosecution of the crime of failure to pay child support. It reached conclusions and made recommendations based on analyzing the context of this legal phenomenon and reviewing empirical findings from institutional information. The study was presented to the leadership of the Attorney General’s Office.

### **1.11 Support civil society efforts to monitor and strengthen the justice sector in post-conflict zones, policy reform and advocacy; and increase access to justice for vulnerable groups**

- The AJP actively participated in the formulation of draft Development Plans for 21 municipalities of the Program's action unit. AJP's participation consisted of providing technical support for the construction of the plans and projects included in the justice component of these Development Plans. The AJP delivered to the 21 local government consulting teams a document containing the structure of the justice component based on the diagnosis of barriers to access for each region.
- *Fundación JUSCOM* presented a draft of a manual titled "JUSTICE: Comprehensive Approach of Justice Operators for Groups Entitled to Special Attention." However, its content did not fulfill the AJP's expectations. The grantee is improving the manual by formulating specific standards to be applied and evaluated by judges in proceedings involving persons entitled to special constitutional protection, under a differential focus.
- Within the framework of the project for strengthening authorities, the law and justice for territorial management of the Santo Madero and Eladio Ariza Community Councils in the municipality of San Jacinto (Bolívar), *Universidad Javeriana* delivered the first report on the contract implementation. The report describes the situation of the community councils in the Montes de María region in terms of land tenure, environment, and the recognition of ethnic communities, authorities and justice. It also presented the working agreements between representatives of the two community councils in the municipality of San Jacinto and the Ethnic Territories Observatory of *Universidad Javeriana*.
- A grant was awarded to *Fundación SISMA MUJER* to document and present a case of femicide that will have an impact on the administration of justice and to promote the effective application of Law 1257 of 2008 (violence against women). The grantee presented its calendar of activities, which is being executed.
- A grant was awarded to *Fundación COLOMBIA DIVERSA* to study the problem of hate killings in Colombia and police abuse against members of the LGBT community. The grant agreement calls for legislative lobbying related to marriage equality laws and the documentation of a case pending before the Inter-American Court of Human Rights (IACHR). The grantee presented its calendar of activities, which is being executed.

## **Difficulties, Challenges and Lessons Learned**

### Lessons learned

The provision of step-by-step assistance to contractors is essential for moving projects forward. Such assistance was provided under the agreements with *Universidad Libre de Cali*, *Universidad San Buenaventura de Cali* and *Universidad Simón Bolívar de Barranquilla*, allowing for the elimination of delays in these projects.

## **Projections for the following quarter**



- DeJusticia will deliver its final consulting report and the final versions of the respective products prior to April 19, 2012.
- The consulting report of Luis Carlos Hoyos will be validated in a public event with representatives of the universities that participated in the study.
- *Universidad Simón Bolívar* will enter information and academic services in the REVADESPA virtual platform and will test it with internal university users, in order to later structure the University Network and to obtain use, administration, data supply and expansion commitments.
- The semi-final and final rounds of the University Competition in Oral Trial Techniques will be carried out in the Southwest Region. In addition, the initial, semi-final and final rounds of the competition will be conducted in the other regions (Antioquia and the Coffee Zone, the North Zone and Santander).
- *Universidad San Buenaventura de Cali* will conduct a pilot test of the technically-modified Virtual Legal Clinic software, and will later make the final modifications before delivering the software to the legal clinics that wish to use it.
- *Universidad Libre de Cali* will install nine hardware sites to serve users within the Virtual Legal Clinic System. It will also provide on-site assistance and carry out projects' presentations with universities in the Nariño CSDI zone.
- *Fundación Universitaria Tecnológico Comfenalco de Cartagena* will provide virtual legal services through service points located in the Solicitors' Offices in four municipalities in Montes de María (El Carmen de Bolívar, San Jacinto, San Onofre and Ovejas). The University of Medellín will begin providing Virtual Legal Clinic services from the Justice Houses in 6 municipalities in Bajo Cauca Antioqueño. *Corporación Universitaria del Meta* will continue to provide Virtual Legal Clinic services in the municipality of Vista Hermosa, and will expand its services to the municipalities of Mesetas, San Juan de Arama, Puerto Rico, La Macarena and Uribe.
- *Fundación Universitaria Tecnológico Comfenalco de Cartagena* will complete its schedule of mobile legal clinic campaigns. It will carry out one or two campaigns in April and May in addition to those initially planned. The universities involved in the project for the provision of comprehensive legal services in the municipalities of the Nariño mountain range (Leiva, El Rosario and Policarpa) and Tumaco will carry out two more monthly mobile campaigns. In addition, *Universidad Mariana* expects to initiate legal service campaigns in Leiva and El Rosario if the public order situation permits. Although the University of Medellín has already completed its schedule of activities, the AJP expects to fund one or two additional campaigns for Bajo Cauca Antioqueño.

- *Corporación Universitaria del Meta* will resume its mobile legal services campaigns in the municipalities of San Juan de Arama and Vista Hermosa on April 21 and 22, 2012, and it will carry out two more legal services campaigns during the remainder of the period.
- *Fundación Universitaria Tecnológico Comfenalco de Cartagena* will design the program for the Radio Legal Clinic, which will emphasize the promotion of a culture of legality and the reduction in barriers to access to justice. *Corporación Universitaria del Meta* will continue with its Virtual Legal Clinic until May 2012.
- Two courses on oral trial techniques will be offered to trial lawyers in the cities of Villavicencio and Pasto at the end of April and in May. *Universidad del Meta* and *Universidad Mariana* have indicated their interest in hosting these events.
- The second overseas study tour will be conducted in May with the participation of senior officials from institutions committed to the implementation of the SPA. In addition, the conference on “Current Challenges and Reflections of the Defense with respect to Oral Litigation under the SPA” will be held, at which two participants in the first tour will present papers based on documents that have already been delivered.
- A final document will be prepared on the methodology used to measure the impact of the training provided by the AJP. This methodology will be applied in the training courses to be offered to trial lawyers in Villavicencio and Pasto.
- The AJP will apply the protocol titled “Measurement of the Impact of the Training Provided to Public Defenders in CSDI Zones,” which will be used to evaluate the changes in professional capacities and skills of the public defenders who took the modules that emphasized special skills for the criminal accusatory system.
- Within the framework of the project for strengthening authorities, the law and justice for territorial management of the Santo Madero and Eladio Ariza Community Councils in the municipality of San Jacinto (Bolívar), *Universidad Javeriana* will deliver a community-validated document that contains guidelines for the management of the territory by the community councils and another document containing information about the training provided to community council members.
- The CEJ will provide advice and technical assistance to the CISPAC on its operations, the monitoring of the legislative agenda related to the SPA, and an evaluation of the regional implementation of the criminal reform process.
- *Universidad Javeriana* will publish and distribute the proceedings of the international seminar on “Contemporary Problems of the Criminal Accusatory System in Colombia.”
- A group of consultants will perform a study of concentrated preliminary hearings, develop information collection instruments for application in the cities of Bogotá D.C. and Ibagué, and formulate conclusions and recommendations related to problems faced by the SPA due to delays in holding concentrated hearings.



- *Fundación JUSCOM* will deliver the final validated version of the manual titled “JUSTICE: Comprehensive Approach of Justice Operators for Groups Entitled to Special Attention.”
- The study prepared by DeJusticia of the impact on judicial congestion of the prosecution of the crime of failure to pay child support will be presented and validated in an event organized by the AJP.
- *Fundación SISMA MUJER* will document and present a case of femicide that will have an impact on the administration of justice, and will promote the effective application of Law 1257 of 2008 (violence against women).
- *Fundación COLOMBIA DIVERSA* will analyze the problem of hate killings in Colombia and police abuse against members of the LGBT community. It will conduct legislative lobbying in relation to marriage equality laws and document a case pending before the IACHR.
- The “Exploratory Study on Transparency of Colombian Justice” will be presented and validated in an event organized by the AJP.

## COMPONENT 2 COURT ADMINISTRATION AND MANAGEMENT

### 2.1. Build, refurbish and/or equip courtrooms in CSDI areas

During the quarter, remodeling work was completed on physical courtrooms in the following municipalities:

Department	Municipality
1. Caquetá	Cartagena del Chairá
2. Valle del Cauca	Pradera
3. Nariño	Policarpa

Remodeling work was begun on courtrooms in the following municipalities:

Department	Municipality
4. Chocó	Istmina
5. Sucre	San Onofre

The AJP contracted for remodeling work for courtrooms in the municipalities of Montelíbano, San Vicente del Caguán and Florida. This work is scheduled to be completed during May 2012.

The AJP also moved ahead with the contracting process for the provision of computer and communications equipment for each physical courtroom. Based on the evaluation of offers, a contract will be awarded to the company DISICO S.A. in April 2012, and the delivery and installation of the equipment will be scheduled for May 2012.

## **2.2. Special training program for judges**

It was not possible to proceed with the training program during this quarter because the staff of the Judicial Documentation Center (CENDOJ) was focused on internal matters and other AJP projects, such as the development of software for the exchange of jurisprudential information with the Iberius Network (*Red Iberius*), and the development of the Strategic Technology Plan of the Superior Council of the Judiciary.

The AJP agreed with the Director of the CENDOJ, Paola Zuluaga, to perform the following activities:

1. Identify the existing training material in the CENDOJ
2. Consolidate the training material
3. Identify the requirements for updating the training material
4. Define the Terms of Reference for the modification and updating of the existing material
5. Modify and update the training material
6. Define the team that will implement the training program in four pilot municipalities
7. Provide the training in the four pilot municipalities and identify new opportunities for updating the training material
8. Develop a mass training plan.

## **2.3. Virtual courtrooms**

During the quarter, the AJP installed satellite communications equipment and provided training to the staff in the courtrooms in the municipalities of San Jacinto, Carmen de Bolívar, Caucasia and Tumaco. Progress was made in the installation of equipment in the municipality of Barbacoas, but it could not be completed because of public order problems that made access difficult.

The installation of equipment and the training of staff in the municipalities of Barbacoas, Riosucio, Unguía and Acandí are scheduled for April 2012.



*Virtual courtroom in Caucasia*

## **2.4 Training program in virtual courtroom protocol**

During the quarter, the Director of CENDOJ approved the training material, which is currently published on the following website: <http://savcolombia.jindo.com>.

In addition, adjustments were made to the video conferencing and recording equipment for the virtual courtrooms, and training began in the municipalities of Puerto Inírida and Buenaventura.

Next quarter, the AJP will complete the training sessions in the municipalities of Sonsón, Urrao, Bagre, Simití, Puerto Rico (Caquetá), Puerto Asis, Puerto Leguízamo and San Jose del Guaviare.

The equipment for the municipality of El Charco (Nariño) is not functioning because of technical problems related to a short circuit in the Polycom V500 video conferencing device. The CENDOJ is handling the maintenance.

## **2.5 (i) Management of judicial information systems in Paloquemao**

Last quarter, the AJP decided not to proceed with the development of the case assignment module, at the request of the new head of the Systems Unit of the Executive Directorate of Judicial Administration (DEAJ) and Magistrate José Agustín Suarez of the Administrative Chamber of the Superior Council of the Judiciary. Instead, the Superior Council proposed that the AJP use the resources for a project of greater scope, involving the use of existing modules (modified and improved with USAID resources) and software of the DEAJ (implemented in Cali), and their integration and implementation in the juvenile criminal court service centers in Bogotá.

Consequently, the AJP provided technical and financial support for the compilation of the source code of the Justicia XXI information system, whose modules were improved with USAID resources, and it provided technical support for the implementation in the Bucaramanga courts of the physical courtroom administration module developed in Paloquemao.

During the quarter, the DEAJ performed a diagnostic study of the software used in Cali, and determined that it was not appropriate for the level of complexity of the Paloquemao courts. Therefore, the project for the integration of these modules has been suspended until new guidelines have been defined.

A meeting was held with the Administrative Chamber of the Council's Bogotá and Cundinamarca Office, at which the president of the Chamber, Magistrate Emilia Montañés, again requested the AJP's collaboration in resolving the information automation problems in Paloquemao and noted that the Systems Unit of the DEAJ had defined new support guidelines for the courts there. Also, the DEAJ again requested support in developing new case assignment software. Magistrate Emilia Montañés requested that Engineer Luis Yepes, a DEAJ representative, collaborate in developing a short-term solution to the problem of security and lack of transparency in the case assignment module existing in Paloquemao.

## **2.5 (ii) Management of judicial information systems and ISO 9001 Assessment**

During the quarter, *Universidad Industrial de Santander* began the implementation stage for the quality management system in preparation for the receipt of ISO 9001 certification. Some courts resisted the changes. Consequently, the AJP provided technical support in developing an action plan, in collaboration with the Administrative Chamber of the Council's Bucaramanga Office and Magistrate Jorge Castillo Rugeles of the Administrative Chamber of the Superior Council of the Judiciary. The implementation process is projected to be completed by June 15, 2012.

Furthermore, *Universidad Libre de Cali* completed the documentation stage for the quality management system and began the stage for its implementation in the courts of Buga, which should be completed by June 15, 2012.

## **2.6 Conduct comprehensive studies and review of the literature**

The document describes experiences with management and technological innovations in the courts and judicial bodies of Spain, Costa Rica, Chile, Rio Grande Do Sul and Brasilia. This document will be published and is currently being reviewed by a technical writer (See [Attachment 2.6.](#))

## **2.7 Support exchanges between the CSJ and other nations**

The Program sponsored an international seminar on judicial governance, held in Bogotá in January 2011. The CSJ convened this event, which involved more than 550 judges and magistrates and featured four international experts on judicial governance. The purpose of the seminar was to promote concrete counter-proposals to the executive branch's draft legislation for administrative reform of the judiciary. The rationale for the conference, presented by the President of the Administrative Chamber of the CSJ, Hernando Torres, can be viewed at: <http://www.youtube.com/watch?v=aBm0eRkG58I&feature=relmfu>.

USAID Colombia Mission Director Ken Yamashita inaugurated the event. The AJP funded the travel and lodging of the international experts and sponsored several technical meetings with magistrates of the Administrative Chamber and the Technical Directorate of the Superior Council of the Judiciary.

See: ([http://www.ramajudicial.gov.co/csj/csj.jsp?opcionCalendar=4&cargaHome=2&id\\_noticia=323](http://www.ramajudicial.gov.co/csj/csj.jsp?opcionCalendar=4&cargaHome=2&id_noticia=323)).

The four international experts were Jorge Carrera of the Judicial Branch Counsel of Spain, David Varela of the World Bank (LAC-PREM), Fernando Carrillo of the Inter-American Development Bank (IADB-Brazil), and Peter McCabe of the Administrative Office of the United States Courts. Mr. McCabe's presentation of lessons learned from the U.S. judiciary's governance experience can be viewed at [http://www.youtube.com/watch?v=cwJV\\_4IXD8k](http://www.youtube.com/watch?v=cwJV_4IXD8k).

As a result of the international conference, the judges and magistrates are preparing and presenting technical reform proposals for the Administrative Chamber of the CSJ in response to the judicial reform draft presented by the executive branch. Another important result of the event is an informal agreement between the CSJ and the Administrative Office of the United States Courts. This office, through AJP funding, will support the Colombian judiciary in implementing a Judges' IT Committee to support the Judicial Branch in making its IT investment more effective.

The second phase of the project will receive support from the Administrative Office of the United States Courts on issues of technological management and transparency.

Peter McCabe met with the Secretary for Transparency of the Presidency of the Republic, Carlos Fernando Galán, in order to request USAID's technical collaboration in the design and implementation of transparency policies for the Judicial Branch.

## 2.8. Information Technology Systems Strategic Planning

The first stage of the Technology Strategic Planning ended in June 2011 and was technically assisted by Spanish Magistrate Jorge Carrera. All the results of this first stage can be found at the following hyperlink:

<https://sites.google.com/site/modernizacionjusticia/>

The consultant Oscar Florez delivered the products specified in his consulting contract. The main product is the final version of the Technological Strategic Plan, based on the specification of investment costs associated with each product. ([See Attachment 2.8.1.](#))

This document will be used in the next planning session, which will receive technical assistance from engineers from the Judicial Branch of Chile.

During the month of March, the AJP and *Universidad Javeriana* Law School conducted an international seminar on the Criminal Accusatory System (see Component 1). During the seminar, Peter McCabe of the Administrative Office of the United States Courts and Sergio Muñoz, President of the Constitutional Chamber of the Judicial Branch of Chile, presented an analysis of the management and technology aspects of the accusatory systems of their respective countries.

On Tuesday, March 13, 2012, a workshop/presentation was conducted by Peter McCabe and Magistrate Sergio Muñoz for the Colombian justice sector on the experiences of the Judicial Branches of Chile and the United States with technology matters. The event was attended by around 50 people from the technology area of the Judicial Branch's central and regional offices, as well as technical personnel of the Offices of the Inspector General and the National Ombudsman. The event was inaugurated by the President of the Superior Council of the Judiciary, Magistrate Ricardo Monroy.



Workshop- March 13, 2012

To initiate the collaboration agreement between the Judicial Branches of Chile and Colombia, a workshop was presented on Wednesday, March 14, 2012 by Magistrate Sergio Muñoz to the Judicial Branch technical staff members who developed the Technological Strategic Plan (PET). This workshop was also attended via video conference by the team of directors of the Directorate of Information Technologies of the Judicial Branch of Chile. The workshop presented four very relevant topics: a) the review and modification of the PET; b) the definition of the concept of an electronic file for the Judicial Branch of Colombia; c) the terms of future collaboration between the Colombian and Chilean judiciaries; and d) the terms of a possible study tour by magistrates, government officials and members of Congress to observe the Chilean criminal accusatory system. The workshop was also attended by staff from the four high courts of Colombia. (See [Attachment 2.8.2.](#))

The Superior Council of the Judiciary has asked the Supreme Court of Chile to sign an agreement that specifies the technical terms of its collaboration.

A second workshop is planned for May for the purpose of specifying the projects that will be included in the PET for the period 2012 to 2015.

The AJP, through its Director, advised the Administrative Chamber of the Superior Council of the Judiciary on the search and selection process for the new Director of Information and Communication Technology of the Judicial Branch, a task that was successfully completed in March 2012 with the selection and hiring of a high-level professional.

## **2.9. Design and implement pilot projects based on a new court management model and new technologies**

During the quarter, because of the appointment of a new head of the DEAJ's Systems Unit, alternatives were not defined for the electronic notification system used in Manizales. Accordingly, the AJP and Magistrate Romelio Daza took the initiative in promoting the development of a proposal for the courts of Villavicencio.

Once the project has been documented, it will be delivered to the Superior Council of the Judiciary so that the resources originally allocated to the Manizales project under the contract with the firm *Certicámara* can be reallocated.

The software for the new courtroom administration module used in Paloquemao was implemented in the courts of Bucaramanga.

## **2.10. Facilitate access to information by users of the justice system**

During the quarter, progress was made in the development of software for the sharing of jurisprudential information by the Superior Council of the Judiciary with the Iberius Network of the Ibero-American Judicial Summit.

## **2.11 (ii) Support greater transparency in the justice system**

The final report of DHEMOS was delivered to USAID and was requested by the president of the Administrative Chamber in order to develop judicial ethics within the Judicial Branch.

A meeting will be held with the Administrative Chamber of the Superior Council of the Judiciary to present the results of the study. The issue of transparency has become a major problem to be resolved by the Administrative Chamber, which has new members.

## **Difficulties, Challenges and Lessons Learned**

### **Problems encountered and proposed solutions**

- a) In the new project to integrate new modules (in Paloquemao and Cali) to improve the management of the Justicia XXI information management system, the diagnostic study performed by Engineer Luis Yepes concluded that the modules used in Cali could not be



implemented in the courts of Paloquemao because of their level of complexity. As such, the AJP has suspended its technical and financial support until the DEAJ can define new guidelines for this project. The AJP proposed that a case assignment module be developed as a short-term measure to address the problem in Paloquemao, if no alternative solutions can be found. The AJP will deliver the compiled improvement modules developed in Paloquemao, together with their source code, so that the DEAJ can use them once the new case assignment module has been developed.

- b) The implementation of the quality management system in the courts of Bucaramanga suffered delays because some of the courts rejected the change. The AJP provided technical support for the development of an action plan with *Universidad Industrial of Santander*, the magistrates of the Administrative Chamber of the Council's Bucaramanga Office and Magistrate Jorge Castillo Rugeles of the Administrative Chamber of the Superior Council of the Judiciary.
- c) There were delays in the remodeling of physical courtrooms in the municipality of San Vicente del Caguán because of the difficulty of access caused by public order problems, but execution of the project has resumed. There were delays in the work to be performed in the municipality of Montelíbano because of last-minute, unbudgeted problems with the electrical system, which was damaged along with three air conditioning systems. The AJP is in the process of hiring a contractor to continue with the work. In the municipality of Florida (Valle), the site in which the work is to be performed has not yet been released. The municipality is moving forward with the respective procedures to speed up delivery of the site, and the work is expected to begin on April 20, 2012.
- d) The low profile of the information technology equipment has delayed several of the activities proposed by the AJP to the CSJ.

### **Projections for the following quarter**

- Complete the remodeling of the sites for the implementation of eight physical courtrooms and the delivery of the respective furniture. Install the computer and audio equipment in the respective courtrooms.
- Implement the quality management system in the courts of Bucaramanga and Buga.
- Contract for the external audit of the quality management systems employed by the courts of Bucaramanga and Buga in order to obtain ISO certification.
- Complete the installation of video conferencing and satellite communications equipment in eight courtrooms for the purpose of conducting virtual hearings.
- Implement a court management training program using virtual courtrooms in CSDI zones.
- Implement a special training program for judges (small courts) to improve their management skills.

- Complete the development of software for the integration and sharing of jurisprudential information between the Superior Council of the Judiciary and the Iberius Network.
- The design of the Technological Strategic Plan will be completed in June 2012 and the procedures for the work team to implement this plan will be formalized.
- A cooperation and technology transfer agreement will be signed with the Judicial Branch of Chile.
- The Secretariat of Transparency of the Presidency will receive cooperation and a transfer of knowledge on issues of transparency from the Administrative Office of the United States Courts.
- Two new high technology projects for the Judicial Branch will be prepared and approved and funding will be obtained for their implementation.

## **COMPONENT 3 JUSTICE HOUSES**

### **3.1 Assessment and impact evaluation of the Justice House Program**

The final evaluation report on the impact of the National Justice House Program was delivered on March 7, 2012 under the direction of consultant Linn Hammergren. The report provides sufficient and adequate information with which to identify challenges, opportunities, lines of action, and difficulties. It makes recommendations for the strengthening, sustainability and possible expansion of the National Justice House Program ([See Attachment 3.1.](#)).

### **3.2 New Justice Houses**

During the quarter, we programmed and carried out work plan activities with the Alternative Dispute Resolution Directorate of the Ministry of Justice and Law to support the creation of Justice Houses, which includes work for remodeling, rebuilding and equipping.

Following are details of the projects that are under way:

#### *Riohacha Justice House*

In January, after the delivery of the pending Justice House remodeling, which had been financed by the Government of the Department of La Guajira, as well as the delivery by the Municipal Mayor's Office of the hydro-pneumatic pressure plant for the supply of water and an air conditioning unit, the entities began activities and the provision services in the new offices. The Ministry of Justice and Law is now coordinating with local authorities on the re-inauguration of the Justice House.



### *Barrancas Justice House*

During February and March, the Access to Justice Program purchased the furniture and equipment for this Justice House and delivered them to the municipal administration.

The Ministry of Justice and Law reported that there had, unfortunately, been delays in the appointment of officials by the municipal administration, but that they had agreed to move forward on this to ensure that the Justice House could be placed in operation by May of this year.



*Barrancas Justice House*

### *Uribe Justice House*



*Uribe Justice House*

In February, following the completion of the civil works that were pending delivery by the municipal administration, the furniture and equipment for the proper functioning of the Justice House were installed and delivered. The inauguration is scheduled for April 30.

### *Villavicencio Justice House*

The Access to Justice Program, through its regional team and in coordination with the new municipal administration, continues to assist in the activities of this Justice House, which include the use of a vehicle donated by USAID to carry out mobile campaigns, brigades to provide assistance in cases of domestic violence, and following up on complaints made in many areas of Villavicencio.

### *San Onofre Justice House*

In response to an explicit request by the Ministry of Justice and Law and the Access to Justice Program, the new municipal administration of San Onofre assigned the work stations and appointed the officials that will work in the Justice House.

The Justice House was inaugurated and placed in operation on January 27, after the new induction process for the appointed officials and with the presence of the Minister of Justice and representatives of USAID.



*San Onofre Justice House  
Inauguration*

### *Bajo Cauca Antioqueño Justice Houses*

During this quarter, the regional team of the Access to Justice Program continued to support the work of these Justice Houses. In addition, the Program purchased new equipment and materials that were needed to optimize the work of the officials and that had been requested by the coordinators of these Justice Houses last year.

### *Santander de Quilichao Justice House*

The civil works that the Access to Justice Program had agreed to carry out to rebuild the Justice House in this municipality were delivered on schedule to the Municipal Mayor's Office in January. The Ministry of Justice and Law is now in the process of reaching an agreement and following-up with the Mayor's Office to deliver the final remodeling work in order to be able to place the Justice House in operation by June 2012.

### *Turbo Justice House*

During this period, the Turbo Justice House has been in operation and providing services to the community. Some changes in staff have occurred under the new administration, causing delays in the consolidation of some Justice House planning and promotion processes.

### *Apartadó Justice House*

After its inauguration on December 22, 2011, the Apartadó Justice House began to provide services to the community through officials from most of the institutions that form part of the National Justice Houses Program.

### *Riosucio Justice House*

Following the inauguration of the Justice House on December 23, the municipal mayor, with monitoring by the Ministry of Justice and Law, appointed officials from the entities that will provide services, including representatives of the four indigenous reservations located in the region.

## **3.4 Conduct training and implement a grants program**

(1) *La Fundación Cerrejón para el Fortalecimiento Institucional de la Guajira* (Cerrejon Foundation for the Institutional Strengthening of La Guajira) completed the collection of information proposed in the grant for enhancing access to justice and promoting legality in the ethnically diverse areas of influence of the Justice Houses of Riohacha and Barrancas.

At the end of February, a coordination and sensitization process was carried out in Barrancas and Riohacha with public officials and representatives of indigenous communities from the La Guajira region, in which the products of the project were presented and validated. After the approval of these products by the Ministry of Justice and Law, which is still pending, the protocols for attention to users will be published in these Justice Houses.

(2) In the final quarter of 2012, *Corporación Internacional Derecho y Sociedad* delivered the products and implemented the final phase of the grant to establish the action routes and protocols

for attention to and the prevention of domestic violence, to be followed by Justice House officials in Ciudad Porfía and, in general, all family commissioners and family ombudsmen in the city.

After the project's closing event, which was attended by public officials and representatives of the beneficiary communities, the impact of the project has become evident, in terms of the considerable participation of women that were trained as managers.

The AJP verified the fulfillment of the commitment assumed by *Derecho y Sociedad* to support and monitor the activities of the Justice House in these matters.

(3) With respect to the grant to strengthen the Bajo Cauca Justice Houses, *Fundación Oleoductos de Colombia* completed the training of government co-managers who work in the region and delivered tools for developing an attention route for access to justice services.

(4) For the municipality of San Onofre, the AJP technical team implemented a project to train school mediators in three educational institutions in the towns of Libertad, Rincón del Mar and Berrugas so that, in coordination with the Justice House and equity conciliators, they can participate actively in the peaceful resolution of disputes

The training cycle, which included a critical analysis of the Peaceful Coexistence Manuals and a methodological proposal based on a differential focus on school disputes and the peaceful resolution of conflicts, ended with the graduation of 47 school mediators on December 3, 2011. The cycle will conclude in April with an activity in each educational center during which the trained mediators, their teachers and parents will present the group's program for this school year to the educational community and the Justice House. ([See Attachment 34.1.](#))

Also, an evaluation will be performed with the participating institutions, Justice House officials and the municipal administration on the implementation of this phase of the USAID-supported project.

(5) *Fundación Ser Caucanos* began the project to train Justice House officials in preventing, treating and attending to the consumption of psychoactive substances by young people in Santander de Quilichao. We expect that the project will help to mitigate this problem and reduce the levels of conflict.

(6) In Turbo and Apartadó, *Corporación Internacional Derecho y Sociedad* continued to implement the grant to develop a project designed to prevent and attend to cases of domestic violence, meeting the priority requirements that the administrations of these municipalities had established with the Ministry of Justice and the Access to Justice Program.

(7) In the municipality of Uribia, the Akwaipa Association began implementation of the project to design and implement a strategy to ensure comprehensive attention to users of justice services by promoting the use of indigenous institutions and their integration with formal and informal justice mechanisms, leading to the effective enjoyment, promotion and protection of rights and access to justice by the inhabitants of the municipality.

During this quarter, AJP monitored the grant and observed a certain degree of distance between the association that is implementing the project and the new municipal administration, which is why the Access to Justice Program plans to continue to monitor project activities very closely.

(8) During these past months, and in coordination with the Alternative Dispute Resolution Directorate, the Program proceeded with the process for the selection of the people who will participate in the training for equity conciliators in order to strengthen Justice House services. The firm *Proyecten* has been executing the grant since December 2011.

Also of note is the event that was held on March 28 in Bogota to present the results and products of the grants awarded to civil society organizations to strengthen the operation and functioning of the Justice Houses.

This event was attended by officials from both the Alternative Dispute Resolution Directorate and the Formal and Jurisdictional Justice Directorate of the Ministry of Justice and Law, the Inspector General's Office, the Consolidation Unit, and USAID, Justice House coordinators from the municipalities where the grants were executed, and representatives of organizations.



*Presentation on NGO projects supporting Justice House communities in CSDI zones (March 28, 2012, Bogotá)*

### **3.5 Conduct training for Justice House personnel**

From March 26 to 28, 2012, the AJP carried out the induction and training for Uribea Justice House officials, with the participation of 38 people, including Justice House and municipal administration officials, and representatives of the ethnic communities in the region.

The induction was carried out by a delegate from the Ministry of Justice and Law and the coordinator of the Canapote Justice House in Cartagena. Still pending is the training on the modules for attention to cases of domestic violence, techniques and conceptualization of ADR, and human rights.

### **3.6 Design and implement the Justice House Information System**

In accordance with the agreement reached last quarter between the Access to Justice Program, the Systems Office and Alternative Dispute Resolution Directorate of the Ministry of Justice and Law, the AJP moved forward in the process of providing technical assistance to optimize the functioning of the Justice House Information System.

In order to improve the quality of the information entered into the Information System and to optimize its operation, the AJP hired a consultant to configure and administer the HP INTERNAL LAN BLADE ENCLOSURE SW in the Systems Office of the Ministry of Justice and Law, and to configure the LAN SW and update the levels of firmware for the HP ENCLOSURE components. The consultant will also provide training to the officials who will operate the system.

In addition, in response to a request from the Ministry of Justice and Law, the Access to Justice Program began the process of purchasing an ESRI 10.0 license to provide optimal support and to enhance the platform that receives information from the Justice Houses.

### **3.7 Develop monitoring and procedure manuals**

- The consultant hired by the AJP to provide assistance to the Alternative Dispute Resolution Directorate is continuing to support, among other activities, inter-institutional coordination, and an evaluation of the performance and operation of the Justice Houses whose administrators entered into agreements for making improvements.
- At the request of the Alternative Dispute Resolution Directorate, the AJP provided technical and logistical support to two events held to review and make adjustments to the action plans of 32 Justice Houses, including the 10 new Justice Houses that have been receiving support from USAID during this period. These events took place in Barranquilla from March 14 to 16 with the participation of 35 officials and in Medellin from March 28 to 30 with the participation of 41 officials.

During these sessions, training and support were provided for the preparation of the proposed action and improvement plans of each Justice House.

### **3.8 Development of an alternative model for access to justice in CSDI zones**

- During this quarter, the AJP began four *diplomados* or specialized courses on “Mediation and a Culture of Legality” in the following municipalities:
  - ✓ Tumaco: 48 participants (women from urban and rural organizations of Tumaco and from municipal administration institutions and the Justice House);
  - ✓ Granada: 35 participants (men and women, members of the Community Action Boards of Puerto Rico, Mesetas, Vista Hermosa and San Juan de Arama);
  - ✓ Sincelejo: 40 participants (members of Afro-Colombian organizations from Montes de Maria: Afro Ovejas, Grito Montemariano, Asoafro, Sones de Torobé, Raices, Fundegest, Colombia Negra, Concejo Comunitario Paraiso, and Concejo Comunitario San Cristóbal);
  - ✓ Cauca: 40 participants (members of Afro-Colombian organizations from Bajo Cauca).

The courses included five modules on the following topics: women; children and youth; neighborhood and community; ethnic groups; and mediation.



- The regional team in Montes de María provided support to the San Onofre Justice House with the following actions:
  - ✓ Advice and support during the startup of the Justice House Coordinating Committee;
  - ✓ Support during the start-up and establishment of the Justice Roundtable in the municipality of San Onofre;
  - ✓ Technical assistance to the Family Commissioner for the formulation of a proposal for the implementation of a children's classroom to provide family, behavioral and emotional assistance in the community of San Onofre.
- In Bajo Cauca Antioqueño, support was provided for the following activities:
  - ✓ Legal clinic sessions by the University of Medellín;
  - ✓ Coordination of the training on “Promotion of alternative dispute resolution mechanisms in the Afro-Colombian communities of Bajo Cauca, Antioqueño;”
  - ✓ Activities to influence the formulation of development plans in order to strengthen the services provided by the Justice Houses;
  - ✓ Integration of the work of the equity conciliators into Justice House activities.
- The following work was performed in the Villavicencio Justice House:
  - ✓ Monitoring of activities carried out by the beneficiaries of the training provided through the grant for attention to and prevention of domestic violence;
  - ✓ Support for the formulation of the Justice House action plan, seeking to open spaces for the LGBT community, indigenous peoples and Afro-descendants.

## **Difficulties, Challenges and Lessons Learned**

### *Problems encountered and proposed solutions*

During this reporting period, the Program encountered the following obstacles in the Justice House component:

- The new mayors have little knowledge about the goals of the National Justice House Program, which is why the AJP, in coordination with the Ministry of Justice and Law, has had to insist that they appoint the Justice House officials and has had to again schedule and present the objectives and planned activities for strengthening Justice House services;
- There have been delays in the delivery of the civil works for the Justice Houses in Barrancas and Uribia contracted by the mayors' offices, which have caused delays in the delivery of the furniture and equipment;
- Because the Mayor of Riosucio (Caldas) has not appointed the Justice House officials, it has been difficult to begin offering the Justice House services.

### **Projections for the following quarter**

- Publish the Final Diagnostic and Impact Evaluation Report on the National Justice House Program and present it to the Ministry of Justice and Law and the National Planning Department.
- Monitor the completion of the civil works for the reconstruction of the Justice House in Santander de Quilichao and coordinate with the Ministry of Justice in order to proceed with the induction and training of officials.
- Continue the induction and training process with officials in Riohacha, Barrancas, and Uribia.
- Monitor and liquidate the grants awarded to civil society organizations to strengthen the Justice Houses in Riohacha and Barrancas, Turbo and Apartado, Riosucio, Uribia and Santander de Quilichao.
- Support the Ministry of Justice and Law and the municipal administrations in promoting the services provided by the Justice Houses.
- Monitor the consultancy and verify the technical support that will be provided by the AJP in order to optimize the Justice House information system.
- Monitor and evaluate the work of the consultant hired for the Alternative Dispute Resolution Directorate of the Ministry of Justice and Law.
- Proceed with the training of Justice House officials in Turbo, Apartadó and Santander Quilichao so that they can promote ADR within the Afro-Colombian communities.

## **COMPONENT 4 ALTERNATIVE DISPUTE RESOLUTION**

### **4.1 Diagnostic of community-based ADR mechanisms in Colombia**

On March 23, 2012, the final version of the Diagnostic Report on Community-Based ADR Mechanisms was delivered, with the modifications to form and content requested by USAID, as follows: preparation of a document with indicators and the respective technical data sheets; construction of the Methodological Annex containing the model and applied tools, following the model applied in the Diagnosis and Evaluation of the Impact of the Justice Houses, approved by USAID; and development of the section on Success Stories and Adjustments to the Financial Annex. The report formulates recommendations, which are currently being modified on the basis of the duly supported findings of the “comparative analysis of preexisting documents,” consultations with operators and experts, and a survey of users, which is being conducted for the first time ([See Attachment 4.1.](#)).

## 4.2 ADR policy reform

On March 15, 2012, the National Roundtable for ADR Reform was installed, with the participation of 36 representatives from the most important sectors of community-based ADR mechanisms, including: the Ministry of Justice and Law; the National Planning Department; the Superior Council of the Judiciary; the Chamber of Commerce of Bogota; the Governor's Office of Antioquia; Congress; international cooperation organizations (European Union, Pax Christi, MAPP/OAS); universities, research centers and academia (Javeriana, UNAL, UNAD, *Católica de Oriente*, *Corporación Excelencia de Justicia*); and operators (justices of the peace and equity conciliators). The methodology, timetable and objectives of the process were presented during the first meeting. The process began with a Rapid Participatory Diagnosis in order to understand the perspective and "current situation" of Equity Conciliation. At the end, the consultant German Vallejo presented the general framework and basic findings of the ADR Diagnosis, to be used as the basis for the discussion. The Roundtable agreed to conduct four basic sessions for the formulation of agreements. The Roundtable is the result of the prior work on the National and Regional Mapping of Actors, the design of a collaborative advocacy strategy, and the individual advocacy process and design of the Facilitation Strategy carried out during the sixth quarter.



*Opening of the National Roundtable for ADR*

During the second session of the National Roundtable, held on March 22 and attended by 19 representatives of the most important institutions and organizations for the design of the ADR policy, the results of the first session were presented; the concepts and objectives of collaborative advocacy were explained to illustrate the work of the Roundtable; and progress was made on the Diagnostic Report, through the creation of the "Garden of Justice in Equity" ("*El Huerto de la Justicia en Equidad*") matrix constructed by groups (State, operators, academia-implementers). The objectives of the upcoming sessions are as follows: April 12: collaborative formulation of options, an exercise in which the participants will focus on the main problems that were identified; April 19: collective analysis of the viability of the options, in order to discuss the feasibility and needs of each proposal, including an evaluation of costs and limits; and April 26: development of the first Action Plan for promoting Justice in Equity. Until May 10, the Roundtable participants will be working on the final document, which will contain both consensus and dissent, and which will constitute a solid basis for the formulation of regulations. The results will be presented on May 10.

## 4.3 Strengthening the MJD

After providing support to the MIJ's transition, strengthening the MJD's database of equity conciliators, and supporting the DMASC during the national meeting of conciliation center directors as a methodological facilitator, the AJP will work on strategic planning, organizational strengthening or the communications structure, depending on the decision of the DMASC.



These activities will be combined with the formulation of a public policy for Justice Houses and community-based ADR mechanisms, with the understanding that the conclusions and recommendations of the studies have been fully endorsed. No additional activities were reported for this quarter in this area.

#### **4.4. Effective networks of ADR providers**

This activity concluded with the awarding of a grant to *Universidad Católica de Oriente* to support the Second Meeting of Equity Conciliators of Antioquia, which took place on November 25 and 26 in the municipality of Guarne with the participation of 500 conciliators from the Department, including 40 from the 6 municipalities of Bajo Cauca. The Governor of Antioquia and the Mayor of Medellín have expressed their commitment to this program, and the municipalities of Bajo Cauca have made specific budget allocations for the Justice Houses and Equity Conciliation.

#### **4.5 Cadre of ADR operators in 20 CSDI municipalities**

The process of implementing and strengthening Equity Conciliation was consolidated in fourteen CSDI municipalities, in full coordination with the MJD through the MICE Technical Committee. Two committees met this quarter, the Sixth Committee on January 27, and the Seventh Committee on February 21. In the Sixth Committee meeting in January 2012, the MJD requested the exclusion of Policarpa, Nariño because of public order problems that made it impossible to guarantee the operation and sustainability of the process.



*Training on ADR in Tumaco*

During the seventh quarter (Q7), the AJP completed Moments 1, 2, and 3 of the MICE in Villavicencio, San Juan de Arama and Tumaco, which entailed making adjustments to the Conflict Diagnoses and finalizing the sensitization and application processes. In addition, the MJD approved the Training Plan and the group of instructors. The following training processes were carried out during Q7: 1) Tumaco: 52 hours of training, 48 hours of basic “strengthening” training, and 4 hours of procedural reinforcement. Through this process, 45 conciliators were certified with the approval of the MJD, during a ceremony held on March 23. 2) Villavicencio: A training process on implementation began on February 24. To date, 72 of the 120 hours of training required by the MICE have been provided, i.e. 60% progress. The training process began with 140 participants, and the vetting process narrowed the field to a total of 65 suitable candidates by the seventh session. The training process will conclude on May 12. 3) San Juan de Arama: The training process began on February 23. Sixty hours of training have been provided, equal to 50% of the 120 hours required by the MICE, to an average of 41-45 leaders per session. This training process will conclude on May 13.



*Training on ADR in Montes de María*

During Q7, the AJP continued to implement Moment 4, Sustainability, in the following municipalities: Montes de María (Ovejas, Carmen de Bolívar, San Jacinto, San Onofre); Bajo Cauca (Cáceres, Caucasia, El Bagre, Nechí, Tarazá, Zaragoza); and Pasto and Tumaco in Nariño. In Bajo Cauca, the AJP worked on the budget allocation for Equity Conciliation (Nechí, Tarazá, El Bagre, Caucasia); the inclusion of Equity Conciliation in the draft municipal Development Plans; the startup of the new PACEs in Caucasia, Cáceres, Nechí, and Tarazá, and the reactivation of the one in Segovia; an increase in the number of

conciliation hearings; the incorporation of Conciliators into the Local Justice System, in constant interaction with judges, inspectors, and commissaries, among others; and the initial organization of the Equity Conciliators in Bajo Cauca into an association. A total of 59 Equity Conciliators graduated in Equity Conciliation strengthening, with the approval of the MJD, and five training sessions were conducted on Equity Conciliation strengthening in Caucasia (March 26), Nechí (March 27), El Bagre (March 28), Tarazá (March 29), and Cáceres (March 29).

In Montes de María, following the appointment of 94<sup>1</sup> equity conciliators, the AJP achieved the inclusion of Equity Conciliation in the draft Development Plans in four municipalities, and the activation of three Equity Conciliation Services Offices (PACE: Punto de Atención en la Conciliación en Equidad) in the municipalities of San Jacinto, San Onofre, and El Carmen de Bolívar. In the municipality of Ovejas, the AJP is currently studying the possibility of locating the PACE in the Municipal Library, and it is coordinating with Local Justice System actors through the development of the Municipal Justice Roundtables, joint training, the presentations of this mechanism, and meetings with judges, commissaries, police inspectors, and solicitors.

In Nariño, following the graduation from strengthening training in March 2012 of 45 equity conciliators in Pasto and of 45 in Tumaco, with the approval of the MJD, the AJP worked on: inclusion of Equity Conciliation in the Development Plans currently under discussion; activation of a PACE in District 2 of Tumaco and reactivation of the PACE in Pasto; dissemination of information about equity conciliation through regional and community radio stations and local and regional television stations; and interaction with authorities in the Local Justice System.

In the Committee meetings, the MJD recognized that the processes carried out within the framework of the AJP have respected its guidelines and constitute “the best [processes] carried out in 2011,” both for the quality of the teachers and materials, and for the innovative curriculum.

<sup>1</sup> 26 in Ovejas, 23 in San Onofre, 21 in El Carmen de Bolívar, and 24 in San Jacinto.

## 4.6 Support for arbitration

The final version of the Curriculum Report on arbitration training for litigation lawyers was sent on November 11, 2011, thereby concluding this activity. The MJD began to implement processes that will strengthen the content of the proposal and enable its implementation as a virtual training model, in order to perform a diagnosis with the participation of academic centers and experts in five cities around the country. The implementation of the curriculum in several universities will ensure that a greater number of lawyers will be trained in arbitration in the coming years and will, therefore, be willing to use this mechanism, leading in turn to prompt and effective access to justice.

### Difficulties, Challenges and Lessons Learned

#### Problems encountered and proposed solutions

The time allotted for making the diagnoses and establishing baselines for the formulation of indicators should take into account the deficient or nonexistent systematization of information on ADR and Justice Houses, by way of example. The field work is tedious due to the geographical distances and “time management” in the communities.

The delay in having a fully approved ADR diagnosis in turn delayed the commencement of the collaborative process to influence the reform of these mechanisms.

The processes to strengthen or support the MJD should be defined in more general terms, because the Ministry changes its priorities depending on the current situation. If the objectives are to be established in stricter terms, the possibility should be considered that they may not be accepted by the MJD because they are perceived as “ignoring the internal capacity and accumulated experience.”

There were four major difficulties in the process of the implementation and strengthening of Equity Conciliation in 20 municipalities: public order problems (Policarpa, Leyva El Rosario, La Uribe); overlap with processes implemented by other organizations, such as the OAS, the Governor’s Office of Antioquia, Pax Christi (Vistahermosa, La Macarena, Mesetas, Puerto Rico); incompatibility with political electoral agendas and the establishment of local partnerships; and, finally, problems caused by the rainy season and the resulting travel restrictions in Montes de María, Nariño, and Bajo Cauca.

#### Lessons Learned

Although the national staff is fully capable of performing research and diagnoses, it faces difficulties in rendering findings and conclusions at the level of precision proposed by USAID. The AJP should have a bank of national and regional consultants, field operators, and allies on the ground to enable it to properly apply tools and build local strengths.

Equity Conciliation is implemented with greater force in the regions with stronger social capital, such as Montes de María, thanks to the partnerships with *Red Montemariana* and ASVIDAS.

The formulation of indicators and benchmarks should take into account the volatility of the changing dynamics and agendas. These indicators are particularly sensitive during election periods and alternations in power.

### **Projections for the following quarter**

As set forth in the WMP, the Program will implement the following activities in Component 4:

- Final Community-Based ADR Diagnosis duly presented and validated by the MJD, the CSJ, the NPD, and key participants in the National Roundtable for ADR Reform.
- Development of three previously agreed to lines of action to strengthen the MJD, beginning on April 13, 2012: (1) Strategic Planning: instruction, support and formulation of the Action Plan; (2) Internal Communication: work with the DMASC and training in the development of managerial skills required by the programs and duties of the positions; and (3) Empowerment: training for engagement with institutional values.
- Conclusion of the Collaborative Advocacy process with a document containing conclusions, agreements, disagreements and recommendations from the National Roundtable for ADR Reform.
- Conclusion of the implementation of the MICE in San Juan de Arama and Villavicencio in Meta, and consolidation of Moment 4 in the fourteen municipalities where the Equity Conciliation implementation/strengthening process was developed, through the implementation of “*Conciliatones*” (“Conciliation Marathons”) in four regions. Final stage of the work with local governments to incorporate Equity Conciliation into the development plans. Development of an information dissemination campaign, through radio, loudspeakers, and meetings in four regions. Strengthening the interaction with other actors of the Local Justice System. Equipping of PACEs and consolidation of the local Equity Conciliation networks.
- Measure the changes in the incidence of conflict, barriers to access, and the perception of equity conciliation in fourteen municipalities, especially in the twelve municipalities of Montes de María, Bajo Cauca and Nariño.
- Final Report on the Arbitration Training Curriculum for litigation lawyers, duly approved by USAID.

## **COMPONENT 5 PUBLIC DEFENSE**

### **5.1 Strengthen the Public Defender's Office in CSDI regions**

***5.1 (i) Conduct a comprehensive assessment of the needs and current capacity of public defenders currently assigned to CSDI zones.***

***5.1 (ii) Study the viability of expanding the Public Defense service.***

The DNDP is taking action to expand the coverage and quality of public defense services in CSDI zones. The following recommendations were adopted, based on the diagnosis performed by the AJP: 1. The National Training School of the DNDP will extend the Hosting and Domain Contract for its Virtual Campus for a year, thereby ensuring that the process of training public defenders in the platform will continue without interruption. 2. The Public Defense School is designing a training plan and defining the curricula and it is beginning the process for the selection and hiring of the operator who will develop the training plan for public defenders who provide civil, labor, administrative and family law services, pursuant to Law 24 of 1992 and Resolution 273 of 2011.

In adopting another recommendation of the diagnosis, the DNDP implemented a training plan for law students enrolled in legal clinics, to be carried out through legal brigades supported by the AJP. Through these brigades, 220 students were trained in skills for the design of defense and technical strategies in the criminal accusatory process, as follows: 40 students from *Universidad Cooperativa de Arauca*; 40 students from the *Tecnológica* and *Cooperativa* Universities of Chocó; 40 students from *Pontificia Bolivariana* and *Sinú de Montería* Universities; 30 students from *Universidad Libre* and *Fundación del Area Andina de Pereira*; 40 students from Mariana, CESMAG, *Cooperativa* and Nariño Universities in the Department of Nariño; and 30 students from Caldas and Manizales Universities.

As a result, the economically and socially disadvantaged populations in remote regions of the country are benefiting from comprehensive legal services and greater coverage and quality in the provision of public defense services.

***5.1 (iii) Support public defense services for indigenous groups in multicultural cities.***

The AJP presented to the DNDP the results and products obtained in phases I and II of the project executed by JUSCOM to strengthen the criminal justice assistance program for members of indigenous communities provided by the National Public Defense System and the “Intercultural Meeting between Jurisdictions.”

Within the framework of the project for the “Promotion of Rights and a Model for the Provision of Legal and Judicial Assistance to Indigenous Communities and Their Members,” the DNDP validated the following products: a manual for the defense and legal representation of indigenous communities and their members; a diagnosis and recommendations related to the processing and treatment of indigenous people incarcerated in the national prison system; the design of a skills profile for members of a Public Defense Unit for legal cases involving members of indigenous communities; and a training plan for public defenders who provide services to members of indigenous communities.



The DNDP adopted the proposed recommendations, and the AJP and JUSCOM proceeded with the design, approval, publication and distribution of a document that describes the deliverable products. Five hundred copies will be donated to the SNDP, judicial operators, indigenous communities and civil society organizations, which require knowledge and understanding with a differential focus in order to provide assistance in cases involving indigenous communities and their members.

Based on the findings of the diagnosis, the DNDP has coordinated with the AJP and JUSCOM in developing a work plan to fulfill the expectations of the National Ombudsman's Office and to develop strategies that respond to the current need for, and limitations of, proper legal assistance to indigenous communities and their members.

The DNDP accepted the recommendation to strengthen public defense services through the Special Support Offices that provide coverage throughout the national territory.

The AJP distributed 1,000 copies of the "Manual for the Legal Defense and Representation of Indigenous Communities and Their Members," which describes oral litigation techniques in the Colombian Accusatory System, to the different official entities that operate as agencies of the judicial system; civil society organizations; the National Ombudsman's Office and its delegates; regional defenders; academic coordinators; public defenders attached to the Criminal Accusatory System; public defenders attached to the prison program; adolescents charged under Law 1098 of 2007; officials of the Special Support Offices; justice system operators in CSDI zones; the National Public Defense Training School of the National Ombudsman's Office; the Ministries of the Interior, Justice, Education and Defense; Justice Houses; INPEC; the Rodrigo Lara Bonilla Judicial School; senior dignitaries of the Constitutional Court, the Supreme Court of Justice and the Superior Council of the Judiciary; the Presidency of the Republic; the Congress of the Republic; indigenous organizations, authorities and community members; law schools and law faculty representatives; and legal clinic directors.

The distribution of the manual will enable the different administrative, judicial and legislative offices to better understand and deal with cases of alleged crimes by indigenous people.

With the support of JUSCOM, the AJP designed and distributed 1,000 CDs containing the "Report on Public Defense Projects for Indigenous People and the National Meeting on Interculturalism and Legal Pluralism." This legal educational material was delivered to judicial operators, indigenous organizations, civil society organizations and entities committed to the issue.

The importance of this project and the distribution of this material lies in the recognition of the need to enhance the training provided to different levels of government, justice operators, and indigenous authorities and communities, on a set of priority subjects in order to guide the process of mutual understanding, coordination and cooperation between the Special Indigenous Jurisdiction and the Ordinary Jurisdiction.



### ***5.1 (iv) Equip eight public defender offices in the CSDI zones***

AJP formalized the signing of donation agreements with the National Ombudsman's Office for the installation, and the training of officials in the use of, the computer and video conferencing equipment that will serve the National Ombudsman's Regional Offices in the Departments of Arauca, Barrancabermeja and Valledupar. This will complete the agreement made with the DNDP for the supply and installation of equipment in the eight Regional Offices of the National Ombudsman's Office.

The provision of equipment and the training of officials in each regional office will ensure national coverage and connectivity with the DNDP's central office, allow for the provision of virtual academic courses for public defenders and the administration of virtual courses given on the campus of the Public Defender's School, and facilitate online access to jurisprudence and successful cases. The AJP is thus helping to expand and improve the quality of public defense services in these remote regions of the country.

### ***5.1(v). Strengthen the Special Support Offices of the Public Defender system at the regional level (headquarters for the regional training centers, the investigation units and the forensic laboratories)***

The DNDP adopted several recommendations based on the AJP's diagnosis of the Special Support Offices, including: the implementation of unified academic courses in the eight Special Support Offices; the holding of bimonthly expert forums; the development of decentralized courses in regions in which there are no academic coordinators; support for the collection and review of relevant cases and hearings for public defenders in the different regional offices; and the training of public defenders in the Special Support Offices for the proper judicial representation of indigenous people.

Through a consultant, the AJP supported the design and development of a processes and procedures manual that can be used for the implementation of a true "management" model for the Special Support Offices, and that standardize the means of providing the different services offered by these offices.

AJP hired an expert on extraordinary criminal appeals for the design and development of a practical booklet based on the case methodology, which contains the basic rules, grounds and techniques for properly supporting appeals brought by public defenders at a national level.

AJP completed the construction work and structured cabling for the Special Support Office in Bucaramanga, and began the process of installing and training the officials in the use of office, computer and video conferencing equipment.

The new Special Support Office and the new Regional Training Center will directly benefit National Public Defense System operators (public defenders, university students working in legal clinics, investigators and forensic experts) in the Departments of Arauca, Norte de Santander, Santander and Magdalena Medio. These new offices will strengthen the attention given to relevant cases of social significance, enable the provision of better criminal defense services by high profile public defenders, and allow for the development of training processes with

technology and pedagogical resources appropriate for defenders, investigators, experts, university students and trial lawyers.

With USAID support, the National Ombudsman's Office has created a total of nine Special Support Offices to date, in the cities of Bogotá, Medellín, Cali, Manizales, Neiva, Ibagué, Villavicencio, Barranquilla, and now Bucaramanga.

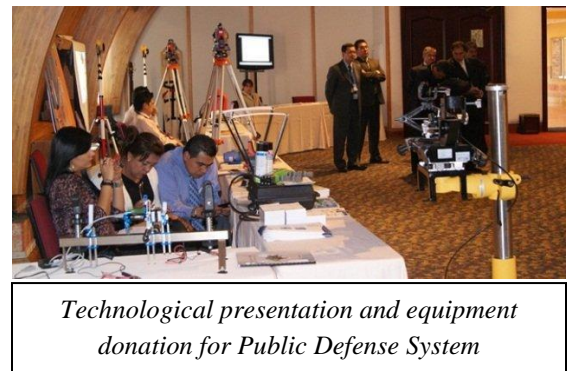
The Special Support Offices and Regional Training Centers employ a comprehensive and highly qualified model of judicial assistance in very important criminal cases, and provide support to the school's network of trainers. They have been supplied with equipment that can simultaneously connect the training rooms with the central office and other regional offices in the country.

The future start-up, with USAID support, of the Special Support Office for Eastern Colombia will complete 100% coverage of the national territory, given the geographic location and coverage delegated to each Office.

#### ***5.1 (vi) Review the development of existing forensics laboratories supported by the European Union and assess possibilities for the creation of two new forensics laboratories***

The AJP and the Public Defense Office (DP) adopted the technical recommendations presented in the report "Evaluation of the Functioning, Results Obtained and Requirements of the UOIC and the Five Defense Technical Testing Laboratories Attached to the National Public Defense System (SNDP), and worked on the design and publication of 500 copies of the final report, which will be delivered to operators, technical investigators and experts attached to the Criminal Investigation Operating Unit (UOIC).

In March, the AJP presented an exposition on the transfer of technology applied to criminal investigations, attended by the National Ombudsman, 36 regional public defenders, UOIC investigators and experts, criminology experts from the judicial police, and USAID representatives. In this event, the AJP presented the services provided by each forensic team, with an emphasis on their importance and utility for public defense criminal investigations ([See Attachment 5.1.4.](#)).



*Technological presentation and equipment donation for Public Defense System*

Following the recommendations of its diagnostic study, the AJP began to deliver, install and provide training for the use of criminology equipment, specialized software, and computer, communications and video equipment for the criminal investigation laboratories in the following eighteen regional public defense offices, under an agreement with the DP: Quindío, Risaralda, Caldas, Cauca, Magdalena Medio, Valle del Cauca, Vichada, Urabá, Casanare, Nariño, Huila, Meta, Boyacá, Putumayo, Santander, Amazonas, Vichada and Cundinamarca.

The AJP completed remodeling work and structural improvements on a DNDP building in which activities will be carried out to strengthen the UOIC. It also reviewed and evaluated technical supervision reports and liquidated the respective contract.

The provision of modern equipment for the forensic testing laboratory will strengthen the investigative work of forensic experts assigned to the Public Defense System's UOIC and will improve the quality of public defense services, ensuring that the experts and field investigators have the necessary supplies and tools to conduct investigations in criminal cases.

## **5.2 Develop legal regulations to differentiate representational roles within the Public Defender's Office**

In the first quarter of the year, the Special Victims Unit of the SNDP hired 204 new public defenders for the judicial representation of victims in cases brought under Law 1257 of 2008.

In accordance with the guidelines issued by the National Ombudsman's Office, the new Special Victims Unit will ensure the provision of victims' judicial representation services, and that there will be no conflicts of interest in the provision of public defense services to victims and alleged perpetrators.

## **5.3 Design and implement training programs for Public Defenders**

The DP, with the technical and financial support of the AJP, provided in the form of a blended learning course (virtual/in-person) the third and fourth modules of the Training Plan's Emphasis Level, on "Negotiation Techniques in the Colombian Criminal Process" and "Adolescent



*Course on "Negotiation Techniques in the Colombian Criminal Process"*  
*Bogotá- February 2012*

Criminal Responsibility," respectively. It also developed for the third module, on both the virtual platform and for in-person sessions, three courses in the cities of Cali, Bogotá and Medellín, and two courses for the fourth module in the cities of Bogotá and Barranquilla.

Training on "Negotiation Techniques in the Colombian Criminal Process" was provided to 94 public defenders in the regional offices in Antioquia, Quindío, Armenia, Risaralda, Caldas, Chocó, Costa Caribe, the Santander, Magdalena Medio, Cundinamarca, Boyacá, Huila, Meta, Tolima, Caquetá, Putumayo, Valle del Cauca, Cauca and Nariño, including municipalities in CSDI zones, such as Caucasia, Nechí, Bagre, Zaragoza, Cáceres, Taraza, Ituango, Anorí, Angostura, Valdivia, Zaragoza, Briceño, Novita, Itsmina, Sipí, Medio San Juan, Alto Baudó, Medio Baudó and Bajo Baudó, Cartagena del Chaira, San Vicente del Caguán, Puerto Leguízamo, Puerto Asís, Valle del Guamuez, San Miguel, Ataco, Planadas, Chaparral, Riosucio, Macarena, Restrepo, Granada, Yacuanquer, Sandoná, Tumaco, Olaya Herrera, Samaniego, Ipiales, Leyva, Policarpa, Ovejas, San Jacinto, San Onofre, Canalete, Córdoba, Puerto Libertador and Valencia.

Training was provided in February and March in the cities of Barranquilla and Bogotá to 80 public defenders assigned to represent adolescents charged in Bogotá, Atlántico, Bolívar, San Andrés, Nariño, Meta, Sucre, Magdalena, San Andrés, Guajira, Córdoba, Caquetá, Chocó, Caldas, Antioquia, Santander, Norte de Santander, Boyacá, Huila, Tolima, Quindío, Risaralda, Nariño, Putumayo, Cauca and Valle del Cauca.

At date, the academic program of the four modules designed, developed and presented using the blended learning methodology (online and in-person) fulfilled the objective of training 427 SNDP operators (public defenders assigned to the Special Support Offices, lawyers for charged adolescents, officials of the Criminal Investigation Operating Unit, academic coordinators and, especially, public defenders in CSDI zones), enabling them to strengthen and obtain required litigation skills in the subjects proposed by the Public Defense School Training Plan: 347 in the modules on “Contributions of Forensic Psychology in Dealing with Sex Crimes;” “Legal and Forensic Management of Evidence in Oral Trials;” and “Negotiation Techniques in the Colombian Criminal Process;” and 80 in the module on “Adolescent Criminal Responsibility.”

The AJP designed a protocol for measuring the impact of the training provided to public defenders in CSDI zones with the module on “Contributions of Forensic Psychology in Dealing with Sex Crimes,” which will be applied during the next quarter in order to demonstrate the progress and/or setbacks in the provision of technical defenses in cases involving sex crimes ([See Attachment 1.5.](#)).

The AJP developed a strategy for the publication and dissemination of the four modules of the Emphasis Level of the National Training Plan. Following the review of their contents, 4,000 copies will be published of each module. In this way, the Roberto Camacho Weverberg School will be able to distribute the courses in both online and printed form to all public defenders in the country.

#### **5.4. Technical assistance to revise the management and performance control model used by the Performance Control Unit of the Public Defender’s Office**

The AJP presented to the DNDP and the Performance Control Operating Unit of the SNDP the progress made by the consultant hired to design a public defender performance evaluation system, which includes a diagnosis of the current situation and a public defender performance evaluation model, a report on the performance evaluation models used in four other countries (Chile, Argentina, El Salvador, and Costa Rica), and a battery of indicators to measure performance. (See Attachments [5.4.1.](#), [5.4.2.](#), [5.4.3.](#) and [5.4.4.](#))

With the restructuring of the DNDP’s Operating Plan, the performance indicators developed will serve as a valuable input for the establishment of an efficient, proactive and timely performance evaluation of public defenders, which will be integrated and harmonized in accordance with the public policy guidelines of the National Ombudsman’s Office.

#### **5.5 Implement a small grants program for CSOs**

*Universidad de los Andes*, an AJP contractor, collected information through visits, interviews, surveys and document reviews in order to record and systematize cases of sexual violence committed against disabled people. This information was provided to the Center for Comprehensive Attention to Victims of Sexual Abuse (CAIVAS) of the Attorney General’s Office, the National Ombudsman’s Office and the National Institute of Legal Medicine and Forensic Sciences.

Simultaneously, *Universidad de los Andes* worked to identify the main barriers to access to justice faced by disabled victims of sex crimes who are entitled to special constitutional protection, in order to construct routes for providing appropriate, dignified, timely and efficient attention to these victims.

Actions were taken to prepare for the provision of training, including the development of informational materials for citizens and proposed protocols for responding to cases that involve sexual violence against disabled people.

### **Projections for the following quarter**

- Monitor the implementation of the recommendations derived from the diagnostic report on the current state of public defense services in CSDI zones. Implement strategies to expand and strengthen the coverage of public defense services.
- Complete the plan to distribute the “Report on Public Defense Projects for Indigenous People and the National Meeting on Interculturalism and Legal Pluralism.”
- The AJP will work with the DNDP on the adoption of the recommendations derived from the diagnostic study, in order to promote actions to strengthen legal representation services for indigenous people through the Special Support Offices.
- The AJP will install and train UOIC officials in the use of the criminology kit, specialized forensic equipment and software, and communications and video equipment for criminal investigation laboratories in eighteen regional offices under an agreement with the DP.
- The new OEA and Eastern Regional Training Center will be inaugurated and placed in operation.
- The AJP and the OEA Coordination will present in the National Meeting of Special Support Offices the manual of procedures for the provision of the different services.
- The AJP will design, publish and deliver the Manual on Appellate Techniques for public defenders.
- The AJP will offer a final course on “Adolescent Criminal Responsibility” to 51 public defenders in the regional offices in Nariño, Valle del Cauca, Medellín and the Coffee Zone, and it will deliver a final report on the results and evaluation of the course.
- Four thousand copies of the modules of the National Training Plan’s Emphasis Level will be delivered to the Public Defense School.
- Four workshops will be conducted to validate the battery of indicators used to measure the performance of public defenders, and support will be given to the national meeting of administrative professionals who are responsible for evaluating the performance of public defenders.
- *Universidad de los Andes* will conduct three workshops to identify mechanisms that can ensure effective access to justice for disabled people who have been the victims of sexual



violence, define the relevant regulatory framework, and design a communications strategy. The AJP will review the final report and will proceed to liquidate the grant agreement.

## 7. Communication strategies

During the first quarter of 2012, the AJP's communication strategy focused on showcasing civil society organizations' activities as part of grant projects in CSDI zones and other AJP activities with national counterparts. Communication strategies included event planning, content editions, graphic design, and branding revision of AJP and grant publications and the use of new media formats.

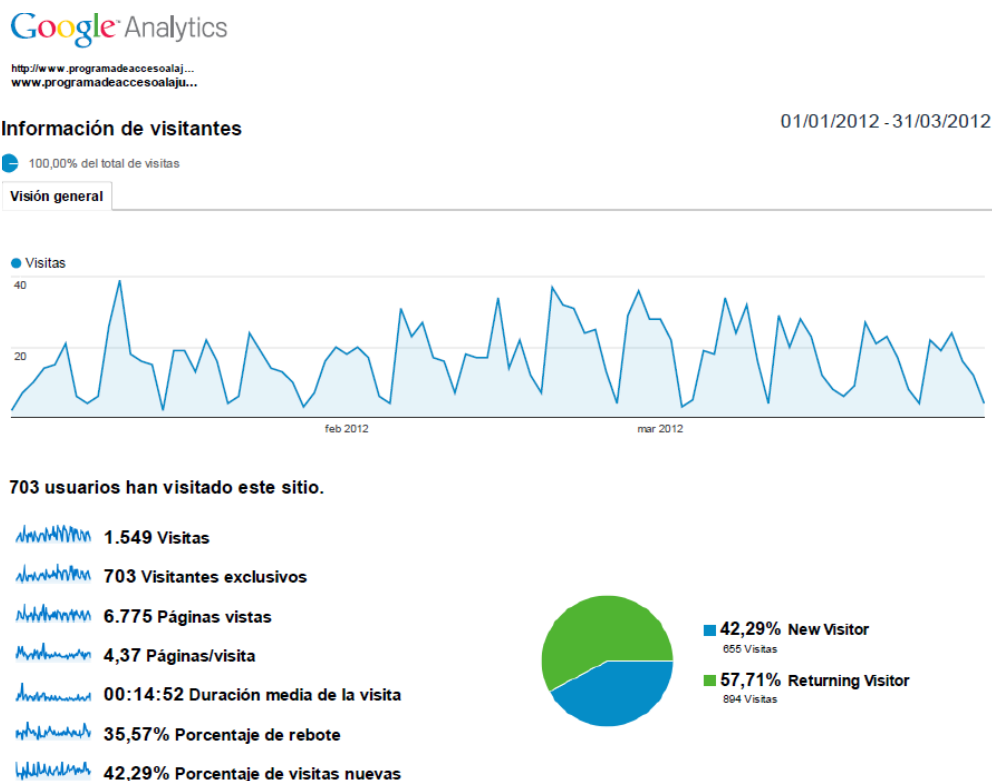
### Internal communications

The AJP has continued making use of journal reviews and weekly reports. Information on the justice sector, security and conflict situations is being tracked and recorded and contrasted with a daily review of the leading regional news sources. The compiled articles are distributed via email to USAID and AJP team members.

### Public information communications

*Access to Justice Program Webpage:* [www.programadeaccesoalajusticia.com](http://www.programadeaccesoalajusticia.com)

The AJP website has been modified to better showcase the number of project activities, and it is updated weekly with program activity information. The Google analytics application was included to manage website traffic. During this quarter, the application registered 1,549 site visits from 703 users; 42.29% were new visitors and 57.71% were returning visitors.





### ***“Justicia al Día” Newsletter***

The Program published edition numbers sixteen (December – January) and seventeen (February – March) of the bimonthly newsletter “*Justicia al Día*” for distribution to USAID, counterpart institutions and civil society organizations on a national and local level. These editions included articles on national level activities, such as the Forensic Laboratory inauguration in Barranquilla, the criminology equipment donation to the Public Defense System, and Justice House inaugurations. CSDI zone activities implemented by the AJP are detailed in the newsletter’s regional sections.

The Spanish version of “*Justicia al Día*” was printed and distributed and has been published on the Program’s website (See attachments [7.1.](#) and [7.2.](#)).

### ***Events and results presentations***

During this quarter, the communications officer and the grants manager led the coordination of two results presentation events.

On January 31, the AJP delivered a presentation on the legal services available to vulnerable populations in CSDI regions through grants awarded to four regional universities. Representatives from the four universities traveled to Bogotá to present their projects to USAID, Colombian institutions and law faculties. The presentation enabled the universities to share their achievements, initiate agreements with national institutions and promote access to justice services in CSDI zones. For this event, two AV/printed materials were produced: a brochure on grant activities and a video clip on legal services.

On March 28, a second results presentation event was carried out. The focus of this event was NGO projects supporting Justice House communities in CSDI zones. *Fundación Oleoductos*, *Fundación Cerrejón para el Fortalecimiento Institucional de la Guajira*, *Corporación Internacional Derecho y Sociedad* and *Ser Caucanos* presented their projects to representatives of the Ministry of Justice, Justice Houses, USAID, and private sector companies that have invested in social development projects. For this event, a video clip on domestic violence prevention in Villavicencio was produced by the AJP (See attachment 6.3.).

In addition to the results *presentation* events, the AJP coordinated the logistics for and led two major events: the international seminar on “Challenges of the Adversarial Criminal Justice System in Colombia,” and the donation of criminology equipment to the National Public Defense System.

It is expected that during the next quarter, ten additional events will be carried out to present AJP activity results.

### ***New media formats***

The live streaming format (USTREAM) continues to be a valuable tool in regional events for reaching interested audiences that cannot travel to attend the activities.

The USTREAM channel for the AJP is: <http://www.ustream.tv/channel/accesoalajusticia>

Live streaming transmissions are announced to interested parties prior to the event. During this quarter live streaming was used during training activities in Nariño.

### **Communication tools in AJP components**

#### ***Media coverage***

In order to increase media coverage of AJP activities, the Program, with support from USAID`s Public Information office and the Embassy`s Public Affairs Section, drafted and distributed press releases to local media outlets and institutional information offices. Articles on the criminology equipment donation, the San Onofre Justice House inauguration and the Colombian Criminal Justice System International Seminar were reported by the media.

AJP EVENT	MEDIA COVERAGE	LINK / ATTACHMENT
Criminology equipment donation	Local news Local and regional newspapers	<a href="http://www.noticosta.com/Noticiacompleta/vernoticia.php?idNoticia=Usaid%20donara%20equipos%20de%20criminal%C3%ADstica,%20bal%C3%ADstica%20y%20f%C3%ADstica%20forense%20a%20Defensor%C3%ADa%20del%20Pueblo">http://www.noticosta.com/Noticiacompleta/vernoticia.php?idNoticia=Usaid%20donara%20equipos%20de%20criminal%C3%ADstica,%20bal%C3%ADstica%20y%20f%C3%ADstica%20forense%20a%20Defensor%C3%ADa%20del%20Pueblo</a> . <a href="http://www.cadenasuper.com/index.php?option=com_content&amp;view=article&amp;id=5377:defensoria-estrena-equipos-&amp;catid=89:noticias">http://www.cadenasuper.com/index.php?option=com_content&amp;view=article&amp;id=5377:defensoria-estrena-equipos-&amp;catid=89:noticias</a>
San Onofre Justice House Inauguration	Institutional and local government news outlets National news Local news	<a href="http://www.minjusticia.gov.co/NewsDetail/1390/1/MinistroJuanCarlosEsguerrallevolaprimerasCasadeJusticiaalosMontesdeMaria">http://www.minjusticia.gov.co/NewsDetail/1390/1/MinistroJuanCarlosEsguerrallevolaprimerasCasadeJusticiaalosMontesdeMaria</a> <a href="http://www.eluniversal.com.co/monteria-y-sincelejo/local/comenzo-operar-la-casa-de-justicia-en-san-onofre-66468">http://www.eluniversal.com.co/monteria-y-sincelejo/local/comenzo-operar-la-casa-de-justicia-en-san-onofre-66468</a> <a href="http://www.eltiempo.com/archivo/documento/CMS-11250202">http://www.eltiempo.com/archivo/documento/CMS-11250202</a> <a href="http://www.cadenasuper.com/index.php?option=com_content&amp;view=article&amp;id=5209:primera-casa-de-justicia&amp;catid=89:noticias">http://www.cadenasuper.com/index.php?option=com_content&amp;view=article&amp;id=5209:primera-casa-de-justicia&amp;catid=89:noticias</a> <a href="http://www.elmeridianodesucre.com.co/web/index.php?option=com_content&amp;view=article&amp;id=6063:la-primera-en-sucre&amp;catid=7:region&amp;Itemid=6%AD">http://www.elmeridianodesucre.com.co/web/index.php?option=com_content&amp;view=article&amp;id=6063:la-primera-en-sucre&amp;catid=7:region&amp;Itemid=6%AD</a> <a href="http://extranoticias.com.co/index.php/colombia/item/647-ministro-esguerra-llev%C3%B3-la-primera-casa-de-justicia-a-los-montes-de-mar%C3%ADa">http://extranoticias.com.co/index.php/colombia/item/647-ministro-esguerra-llev%C3%B3-la-primera-casa-de-justicia-a-los-montes-de-mar%C3%ADa</a>
Colombian Criminal Justice System International Seminar	Institutional outlets	<a href="http://puj-portal.javeriana.edu.co/portal/pls/portal/docs/1/3242059.PDF">http://puj-portal.javeriana.edu.co/portal/pls/portal/docs/1/3242059.PDF</a>

### ***Publications and AV material production***

Two video clips were produced with material obtained in several Program activities, including the graduation of peace promoting women in Villavicencio and the roving legal clinics in CSDI municipalities. These videos were showcased during the results presentation events in order to make the experiences visible.

<http://www.youtube.com/watch?v=usYWLG3RE14>

[http://www.youtube.com/watch?v=A1A\\_a4zsNRI&feature=relmfu](http://www.youtube.com/watch?v=A1A_a4zsNRI&feature=relmfu)

The AJP has designed and edited a series of texts to be published. They have been sent to USAID and are pending approval to be printed and distributed during the next quarter:

- Consultancy report on the curricula of medical, psychology and forensic sciences schools
- Report by Dejusticia on the failure to pay child support
- Oral Litigation Techniques in the Criminal Accusatory System in Colombia, a General Manual for Judicial Operators
- Forensic Laboratory Diagnostic Report

### **8. Impact Monitoring**

The AJP reports three standard indicators selected from the master list of standard indicators related to the foreign assistance framework:

- **Legal aid groups and law clinics assisted by the USG**

As of March 31, 2012, the AJP has supported 41 legal aid groups and law clinics, as follows:

Legal aid group	#	Comments
Victims Attention Centers	3	Cali, Medellín and Barranquilla
Universities with grants for the strengthening of legal aid services provided by law school legal clinics	5	<i>Universidad de Medellín</i> <i>Corporación Universitaria del Meta</i> <i>Universidad Libre (Cali)</i> with two grants <i>Corporación Universitaria Tecnológico Comfenalco</i>
Law faculty legal clinics in the municipality of Pasto (Nariño)	4	<i>Universidad de Nariño</i> <i>Universidad Mariana</i> <i>Institución Universitaria CESMAG</i> <i>Universidad Cooperativa de Colombia (Pasto)</i> These law faculty legal clinics received support from the AJP to provide legal consultancy and representation services to citizens in the <i>cordillera nariñense</i> region (Leiva, El Rosario and Policarpa municipalities) and Tumaco; special emphasis has been placed y services for vulnerable populations.

Legal aid group	#	Comments
NGOs or other private or private/state mixed entities that provide legal advice to citizens.	11	<p>Santa Maria Foundation, supported by the Program through a grant for the design and implementation of strategies and activities that increased the effectiveness of legal advocacy, defense and representation of individuals whose access to justice has been impeded because of their sexual orientation (LGBTI).</p> <p>Through the Santa María Foundation, AJP provided three training workshops (Tuluá, Buenaventura and Bogota) on legal assistance to members of ten LGBT organizations. Through these workshops, AJP presented a proposal for intersectoral coordination of justice sector and civil society activities related to the legal concerns of LGBT groups.</p>
Agreements were signed with the law clinics of the following universities	18	<p><i>Universidad La Gran Colombia ( Armenia)</i>  <i>Universidad Industrial de Santander</i>  <i>Universidad de Santander</i>  <i>Universidad Santo Tomás (Bucaramanga)</i>  <i>Universidad Autónoma del Caribe (Barranquilla)</i>  <i>Universidad ICESI (Cali)</i>  <i>Universidad Central del Valle,</i>  <i>Universidad de Manizales</i>  <i>Universidad Pontificia Bolivariana (Montería)</i>  <i>Universidad Cooperativa de Colombia (Pasto)</i>  <i>Universidad de Nariño</i>  <i>Fundación Universitaria del Área Andina(Pereira)</i>  <i>Universidad Mariana (Pasto)</i>  <i>Institución Universitaria CESMAG (Pasto)</i>  <i>Universidad Santo Tomás (Tunja)</i>  <i>Universidad La Gran Colombia (Bogotá)</i>  <i>Universidad de Villavicencio</i>  <i>Universidad Incca (Bogotá)</i></p>
<b>TOTAL</b>	<b>41</b>	

The Access to Justice has supported 41 law clinics and legal aid groups, exceeding the target of 30 set for the two years of AJP.

- **Justice sector personnel that received USG training**

As of the close of the reporting period, the AJP has trained 2,055 justice sector personnel. Training accomplishments include the following:

- 1,052 law students and 58 law professors from over 80 law schools in Santander, Norte de Santander, Valle del Cauca, Cauca, Nariño, the Coffee Region, Bogotá, Bolívar, Magdalena, Atlántico, Neiva, Tolima, Boyacá and Meta have participated in six regional elimination rounds of First National Mock Trial Competition.
- 223 law students from 10 law schools in Valle del Cauca, Cauca and Nariño which are participating in first regional elimination rounds of Second National Mock Trial Competition.
- 76 university professors from several municipalities in Meta, Atlántico, Córdoba, Sucre, Bolívar, Magdalena, Valle del Cauca, Cauca, Nariño, Quindío, Risaralda and Antioquia have participated in the AJP's intensive course on developing new methods to teach criminal procedure in law schools. This training process will create a network of professors with new methodologies for teaching about the criminal accusatory system, which in turn will contribute to the consolidation of the judicial reform.
- 66 private lawyers from Tumaco (Nariño), Sincelejo, San Jacinto, Ovejas (Sucre) and El Carmen de Bolívar (Bolívar) have participated in two regional workshops on techniques and skills necessary for litigation in the oral criminal accusatory justice system. Such activities strengthen the litigation skills of lawyers in an oral accusatory system and help to break barriers to access to justice for rural populations in consolidation zones.
- 50 law students from law schools in Nariño have participated in a workshop on techniques and skills necessary for litigation in the oral accusatory criminal justice system.
- 138 public defenders and professionals from the public defense training network, practitioners from the Special Support Offices and Investigative Unit, as well as public defense academic coordinators completed the four specialized training modules in the areas of managing and presenting expert witnesses and forensic evidence in violent sex crime cases.
- 115 public defenders and professionals from the public defense training network, practitioners from the Special Support Offices and Investigative Unit, as well as public defense academic coordinators completed the second of the four specialized training modules on the legal and forensic management of evidence in oral trials.
- 94 public defenders and professionals from the public defense training network, practitioners from the Special Support Offices and Investigative Unit, as well as public defense academic coordinators completed the third of the four specialized training modules on "Negotiation Techniques in the Colombian Criminal Process."
- 80 public defenders assigned to represent adolescents have been trained on "Adolescent Criminal Responsibility."

- In recognition of the importance of training on international law and human rights in order for the Public Defense System to provide better services to Colombian citizens, the AJP funded the travel expenses for three public defenders to participate in an intensive course on the Inter-American Human Rights System that took place in Montevideo, Uruguay.

Training of justice service personnel, mainly public defenders and law students has consistently exceeded goals. The program trained almost 210% more than intended: 2,055 instead of the 965 originally expected for the two years of AJP.

The targets were surpassed due to the large number of students that participated in the mock trial competitions.

- **Number of people visiting USG-supported legal service centers serving low income and marginalized communities**

According to the data collected through the National Justice House Census, 1,719,171 requests for assistance were received by the Justice Houses in FY 2011. The majorities of these requests were made by women and were related to family conflicts, the loss or absence of documents, and criminal problems.

Based on the results of the National Justice House Census, it is estimated that the country's Justices Houses received 912,589 requests for service during the first semester of FY2012.

## **9. USAID Common Indicators**

This quarter, the AJP provided its fourth report on USAID common indicators regarding investment in Afro-Colombian, indigenous, women and youth groups. The attachments contain tables showing the USAID investments, beneficiaries and regions. This data shows investment during the current quarterly reporting period along with cumulative information on infrastructure, training and grants, disaggregated by sex and ethnicity. (See Attachments 9.1., 9.2.).